MR. A. K. PILLAI (*Karunagapalli*) : On a point of explanation, I may say that I only said that jail should not be made a weapon for punishing poor people who have been victims of lapses in social condition.

MR. K. GEORGE (*Chief Secretary to Government*) : But he said that many of these people are there on account of lapses of social laws, which by themselves are not righteous laws. Well, in all this, what he really pleaded for was a reconstructed society in which the rule of righteousness would prevail. That certainly is the millenial ideal but the effort to reform has to be made outside the prison and not inside the prison. I do not say that the prisons should not be reformed. Wherever reform is necessary, it ought to be effected and the most human methods should be employed. (Mr. P. K. Narayana Pillai: *Hear hear.*) However, I am authorised to say that, in this matter, Government will consider the whole of the Prison Regulation and the rules coming under that. In regard to sub-jails, the rules are under consideration and they will also be revised as quickly as possible and brought into force.

MR. A. K. PILLAI (*Karunagapalli*) : I beg to withdraw the motion.

The motion was, by leave, withdrawn.

PRESIDENT : I take it that the House grants under Demand XII—Central Prison—Rs. ·92 lakh *less* Rs. 100.

The grant was made.

DEMAND XIII—POLICE—Rs. 5·72 lakhs.

MR. W. H. PITT (*Commissioner of Police*) : Sir, I beg to move for a grant not exceeding Rs. 5·72 lakhs under Demand XIII—Police.

There is one suggestion that I would like to make at this stage if I am permitted. On Thursday next, a resolution standing in the name of Mr. Raman Menon which deals with motor traffic is to be discussed. The whole question of motor traffic and motor accidents and control of motor traffic is sure to come up then, and it is also a big question of ever-growing importance and one dating according to Mr. Sivatanu Pillai from puranic times, as he said the other day, and I think it will require more time. So, if the members agree, we might leave all such questions until Thursday. That is only a suggestion. That is why I say if the members agree. If the members want it now, they can have it.

One other thing I should like to say is with regard to the undertrial prisoners. It comes under Administration of Justice—Criminal Courts—page 67 of the budget. It has nothing to do with the Police.

Motion 321.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : I beg to move the following motion :

321. *To reduce the allotment of Rs. 13,716 for establishment by Rs. 100.*

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[Mr. P. K. Narayana Pillai.]

The object of the motion is to make a mild criticism upon the administration of the Police Department. Now, as many of us are aware, the police have been granted powers under various Regulations in the Statute Book. No doubt, their main duty is probably under the Penal Code and the Criminal Procedure Code. But looking to other statutes in the State, for example, the Municipal Regulation, the Forest Regulation, the Abkari Regulation, the Police Regulation itself, and last but not least, the Cattle Trespass Regulation, the Police derive power under these and it is probably quite legitimate that they should be granted power in as many Regulations as possible in view of the needs of civilised life. The Administration Report, shows the work of the department mainly under the Penal Code and Criminal Procedure Code and the Municipal Regulation to some extent but not under any other Regulations so far as I am able to recollect. I am however open to correction. My request to Government is that if steps are taken by the Police Department under any other Regulation, it is also necessary that the public should know the sort of activities of the department, under such other Regulations. When once power is granted to any particular department or officer under any Statute, the public are interested in learning how far that particular department or officer is exercising that power. One thing that has to be granted is that when we pass a law and invest a particular department with authority, the need for the exercise of such authority is conceded. How far this particular authority is being exercised by the Police Department is what the public should be able to understand. No doubt, in some of these Regulations, for example, in the small Regulation that I referred to, the Cattle Trespass Regulation the concern of the Police Department is a concurrent one. The Municipal bodies themselves may take action under that Regulation, and I trust the Public Works Department may also have a hand in it. For, under that Regulation, the roads in the State are vested in that department. But it is doubtful; for on a previous occasion I interpellated whether the roads are vested in the Public Works Department and the Government were not prepared to answer. If they are vested, I would, with some trepidation, in view of the energetic earnestness of our new friend Mr. Vipan and the directness with which he is prepared to proceed with his work request that the Public Works Department may also be requested to show their work under the Regulation. We have been hearing of a number of motor accidents and, in the town of Trivandrum itself, I have actually noticed cattle being frequently allowed to stray on the roads. We are always unsympathetic to and the public start with a prejudice against the motor drivers; and taking into consideration the difficulties arising from the stray cattle, if the Regulation is within the joint concern of the Police and other Departments, they should be so good as to indicate the share of work that they have undertaken under the said Regulation. It is to bring to the notice of the departmental heads, this aspect of the matter that I have brought forward this token motion.

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MR. W. H. PITT (*Commissioner of Police*): Sir, the proposal seems to be that in the annual Administration Report of the Police Deparment, we should show the action taken under every Regulation by which we derive power. If the information is worth having, I see no objection to publishing it. And I could assure the member that the Government in due course will consider whether to publish the information or not. So far as I can see, there is no objection to their giving the information.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): I do not want to press the motion.

The Council adjourned for lunch at 2 P. M.

The Council reassembled at 2-45 P. M.

Moton 322:

MR. G. NARAYANA PILLAI (*Tiruvalla*): Sir, I rise to move following motion:—

322. To omit the allotment of Rs. 1,540 for temporary establishment.

My object in sending up the motion was to urge for a reduction of the pay of clerks now budgetted for. But by mistake the entire amount was asked to be omitted. Therefore I request your permission, Sir, to amend the motion in this form, viz., to reduce the allotment of Rs. 1,540 by Rs. 460.

PRESIDENT: In other words, you want to alter the motion into a token motion?

MR. G. NARAYANA PILLAI (*Tiruvalla*): Not into a token motion. The motion, as it is worded at present is for the omission of the entire allotment. What I want to urge is that only Rs. 460 should be reduced. There is provision at present for a Head clerk on Rs. 75-100, one clerk on Rs. 40-70 and another on Rs. 25-40. What I wish to urge is that one clerk on Rs. 40 and two on Rs. 25 alone need be appointed instead.

PRESIDENT: You want to move the lesser cut which is included in the greater. You may do so.

MR. G. NARAYANA PILLAI (*Tiruvalla*): The present ministerial establishment of the Commissioner's office includes a Head clerk, a Storekeeper and a Head Accountant each on Rs. 75 to 100, 3 clerks on Rs. 40 to 70, 12 clerks on Rs. 25 to 40 and 3 typists on Rs. 20 to 50. It is proposed to increase this staff by the addition of a Head clerk for the motor section on Rs. 75 to 100 and 2 other clerks, one on Rs. 40 to 70 and the other on Rs. 25 to 40. These are said to be meant as temporary but the very fact that scales are provided for the pay of the temporary staff indicates that they are meant to be really permanent. I believe the office work is now carried on by the various clerks being grouped under different sections, the Head ministerial officer supervising the work of the various groups. There is at present a motor section and the

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temporary hands now asked for will, I believe, go to strengthen that particular section of the office. I do not know how many clerks work now in the motor section and whether there is any necessity to indent for more hands. Any way, a separate Head clerk for this section alone, and that, of the same pay and status of the Head clerk of the entire office, seems to be rather unnecessary and superfluous. And if the appointments are only temporary, I do not understand why increments to be paid after 2 years and 3 years are attached to these offices.

There is yet one other fact I wish to mention in this connection. I understand there is a circular issued by the Commissioner that in filling up temporary places the claims of the District office staff will not be considered. An appointment even though treated as temporary when created has a tendency to become permanent and the temporary man in course of time supersedes the permanent incumbent drawing a lesser pay in the far away District office. The lowest pay of a clerk in the Commissioner's office is Rs. 25 to 40 while the same in the District office is Rs. 20 to 30. Whenever a fresh hand is appointed on Rs. 25 to 40 in the Commissioner's office, he becomes senior to the clerks on Rs. 20 to 30 in the several District offices.

I find that part of the work *re* motor traffic is to be allotted to the District Superintendents and provision is made for adding temporary clerks to their offices for this work alone. I doubt whether this arrangement will not lighten the work in the Commissioner's office and if so whether any addition to the office staff of the Commissioner is necessary. To discuss therefore the necessity of adding to the staff of the Commissioner's office and to see if any reduction in the provision now made is possible on the lines proposed by me at the outset, I make the motion.

MR. W. H. PITT (*Commissioner of Police*): Sir, I think there i a little confusion in this motion because one of the arguments seems to be that no increased staff is necessary and the other argument is that the increased staff on the pay proposed is unnecessary. Perhaps I had better deal with the latter question first. I do not know why the temporary clerks are put on a sliding scale. I think it has something to do with the existing scales of pay in the office and the clerks have to be put in one or other of the scales. They are to be appointed temporarily because if there is a slump in motor traffic these clerks will be asked to go next year. Mr. Narayana Pillai raised the point that if temporary appointments are made none of these are given to the clerks working in the District offices. Some years ago after going into this very troublesome question of seniority, I passed a rule that temporary vacancies, in whatever offices they occur, would be filled by the clerks in that office, but when any vacany becomes permanent, the seniority of all the clerks in all the offices will be considered. If the seniormost clerk whether he be in the Head office or in the District office is efficient he will be given the post. If a temporary vacancy occurs in a District Office then no clerk from my office will

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be given that post. Similarly if a temporary vacancy occurs in my office only the clerks in my office are eligible to be appointed to that post. I think there is no unfairness about it. The pay of the clerks in my office is more than that of clerks in the District Offices. So clerks in other offices like transfer to it. So far as I am aware there is no unfairness with regard to permanent appointments and the seniority of all the clerks is considered by myself when making them. There is no idea in proposing this temporary staff of centralising work or handing over any work to the District Offices. Three clerks are to be appointed. That is on account of the increase of motor traffic which has abnormally increased during recent years. Mr. Narayana Pillai raised the question whether an additional staff was required. During the last five years I have been trying to reduce expenditure as much as possible. I do not know how it will be possible for me to give, in the space of the five minutes allotted to me, a very complete idea of the work that is to be done. In regard to the increase of motor traffic which Mr. Narayana Pillai challenged, I might quote figures for five years. In 1098 the number of motor vehicles registered was 67, whereas in 1102 up till now 434 vehicles have been newly registered. The number of driving licenses issued in 1098 was 822 whereas in 1102 it is 3,158; the number of hire permits issued in 1098 was 110, whereas in 1102 it is 831. The fees levied under the Motor Vehicles Regulation (excluding fees for examination of buses) was Rs. 5,000, whereas the fees collected this year come to Rs. 33,500. And then we work the subjects under the current system. The number of currents in 1098 was 1,346 whereas—

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I ask Mr. Pitt whether he keeps a list of the motor cars registered elsewhere?

MR. W. H. PITT (*Commissioner of Police*): Plying here?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Yes.

MR. W. H. PITT (*Commissioner of Police*): Yes, we are keeping a list. There are just over a hundred such cars. The currents in the motor section in 1098 came to 1,346 whereas in 1102 the number is 6,508. The increase of work is therefore abnormal. I think the Council is aware that most of the fees are paid in cash which of course requires more careful looking after than papers. I expect next year that Rs. 35,000 will be paid into my office in cash in small sums. To see this money brought into account, I shall require a cashier. It is for that purpose that a Head Clerk is proposed. In the motor section the fees which we receive are very often not the exact sums. It is quite usual for gentlemen to pay British Rupees two when it is Sirkar Rupees two and therefore the necessary adjustments have to be made. The accounts in my office are not at all simple to-day. With regard to the question whether we want these clerks or not, I think my strongest argument is this: In 1098 after the reorganisation of the Department, we reduced the net cost of the Department by one lakh of rupees. I therefore hope that when we make a very moderate demand for

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Rs. 1,540 the Council will think that there is some special reason behind it. Today the net expenditure is still one lakh less than it was.

MR. G. NARAYANA PILLAI (*Thiruvalla*): In the light of the figures furnished by the Commissioner, I beg to withdraw the motion.

The motion, was by leave of the House, withdrawn.

Motion 323.

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*): Sir, I move the following motion:

323. To omit the allotment of Rs, 500 for fees to vakils.

No doubt payment of fees to vakils is creditable. I do not think that the Police Commissioner requires any money to be paid to vakils for any legal advice. In the year 1101, from the budget it appears that nothing has been paid for fees to vakils though a provision of Rs. 500 was made. For 1102 the budget does not show that that amount has been paid. The Police Commissioner does not directly prosecute any case nor has he any opportunity to pay fees to vakils. Cases occur in the Districts and the District Superintendents are in charge of the cases and there are Prosecuting Inspectors to conduct the cases in the Magistrates' Courts. If the cases are committed to the Sessions there are Sirkar Vakils to conduct them. Therefore I do not think there is any reason for putting Rs. 500 as fees to vakils.

MR. W. H. PITT (*Commissioner of Police*): Sir, I oppose this motion. Up to 1099 there was only a single item in the budget which was called Law charges. Since 1099 Law charges and fees to vakils have appeared together. Actually there is no distinction in practice. I do not know why the terminology has been changed. I think it was changed in the Finance Office. We do incur expenditure under Law charges. In 1100 we incurred an expenditure of Rs. 166 as fees to vakils and Rs. 150 as Law charges. The total being Rs. 316. In 1101 the accounts against Law charges show a figure of Rs. 475. From contingent expenditure for this year we have paid Rs. 642. The expenditure is generally incurred in this way; if a police officer is prosecuted for an act done in his official capacity a departmental enquiry is held and if it is found that the police officer was acting under orders and the action taken by him was justified then a recommendation is ordinarily made to Government that if the officer is honourably acquitted, he should be paid his expenses. Throughout the past three years the expenditure has been incurred. This item is put under "18 A Commissioner", because that is a subject dealt with by me personally and not by the Districts.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Why not the Sirkar Vakils be made to defend the cases?

MR. W. H. PITT (*Commissioner of Police*): No.

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MR K. I. JOSEPH (*Minachil* cum *Devicolam*): Can they not be asked to do so?

MR. W. H. PITT (*Commissioner of Police*): I believe there is an objection, but I am not quite sure what the objection is. There is a departmental order that in no circumstances the Sirkar Vakil should be allowed to defend an accused person. In every case the Crown is the complainant and the Crown cannot defend as well as prosecute.

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*): I beg to withdraw the motion.

The motion was by leave withdrawn.

Motion 324.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): Sir, I beg to move the following motion.

324. To reduce the allotment of Rs. 60,177 for Commissioner by Re. 1.

The object of the motion is, to ventilate the grievances of the people about the Police Department and to suggest remedies. The vast majority of the people of Travancore have great and practical grievances against all the departments of the Government. But the Police Department tops them all in causing heart-rending monetary loss, bodily injury, misery and insult to the common people. I do not propose to give particular examples as there is no time and as they will occur to the minds of most of the members. I am sorry, Sir, that the Government instead of taking drastic steps to lessen the evils, are encouraging, unconsciously it may be, the Police to oppress and insult the people. I shall exemplify this point as it is a very important one and affects the whole policy and attitude of the Government in respect of the Police Department. I shall read a portion of the Administration Report of the Police Department for 1101:

"*Judicial Punishments.* There was a decline in the number of cases in which police officers and men were prosecuted by the public during the year, the number being 58 against 67 in the year 1100. The number of men concerned in such cases also fell from 73 to 66. Of these, 40 were discharged and 26 under trial at the close of the year. In no case was compensation awarded to the policemen frivolously prosecuted. I regret to say that in spite of repeated request year after year and the G. O. R. Dis. No. 285/26/Judicial, dated the 28th January 1926, there has been no inclination at all on the part of the Magistracy to follow the spirit of the High Court's Criminal Circular No. 3 of 1099. 6 policemen were prosecuted by the department during the year, of whom one was convicted, 2 discharged and two were under trial at the close of the year. The case against one was compounded."

Sir, I should like to draw the attention of the Government and the House to two sentences in this passage, namely, "in no case was compensation awarded to the policemen frivolously prosecuted," and the other "I regret to say that in spite of repeated request year after year and the G. O. R. Dis. No. 285/26/Judicial, dated 28th January 1926, there has been no inclination at all on the part of the Magistracy to follow the spirit of the High Court's criminal Circular No. 3 of 1099." The cheek and presumption displayed in these two sentences are

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amazing. The Ag. Commissioner who is the author of the report says that no compensation was awarded to policemen frivolously prosecuted. In making this amazing allegation and accusation the Ag. Commissioner did not act on his own initiative but the lieutenant has only been following in the steps of his chief, Mr. Pitt, the permanent incumbent. This allegation and the accusation is contained in previous Police Administration Reports also. I do not know whether it was Mr. Pitt who originated this piece of presumptive accusation against the Magistracy or one of his predecessors. I suspect that it originated with one of his predecessors in office. However the originality or otherwise of this piece of cheek is not essential. Let me proceed to scrutinise the sentences. As regards the first sentence how did the Ag. Police Commissioner conclude that any policemen were frivolously prosecuted at all? The Courts of Justice are the proper authorities to determine this point. If the courts did not award compensation in any case, the presumption is that in no case was it just to award it, though many of those charged were discharged. The reason must have been want of proper evidence, most probably caused by the suppression of evidence owing to the undue influence of the Police authorities. That is no reason to conclude that the prosecutions were frivolous and the police-men were innocent.

It is not for the Police Commissioner or his lieutenant to sit in judgment over the Magistrates as he does in the second sentence. I hope that the High Court circular does not support the amazing allegation and accusation contained in the two sentences referred to above. If the High Court have done so, without reviewing the work of the Magistrates in question, in detail, I can only lament the want of judicial independence on the part of the particular judges. At any rate, no one who has a touch of judicial fairness of or the principles of sound political administration can for a moment regard the allegation and accusation of the Police Commissioner as anything but ignorant and presumptuous. If the Commissioner were a great jurist and had closely examined all the judgments of the Magistrates in question, he can in his private capacity, if allowed to do so by Government, make such a statement in a newspaper article or other publication. But such an allegation and accusation are quite out of place in an official administration report. The Police are appointed for serving the Judiciary in the work of keeping the peace and administering justice and not for sitting in judgment over them. That is the province of the Government and the respresentatives of the people. I wish to point out that the higher Police Officers at least, such as the Commissioner and the District Superintendents should not be mere rough and ready human beings but men with some knowledge of the principles and decencies of political administration.

MR. W. H. PITT (*Commissioner of Police*): I rise to a point of order. I think that statement is a libel. What the member says is that the Commissioner should be aware of the decencies of the political administration.

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MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): He is at liberty to make his own observations. I wish to know whether the Police Commissioner scrutinised all the judgments in question before he wrote the sentences referred to. Let us presume that he did so and also that he is capable of judging the merits of the judgments. This latter presumption is merely for argument's sake, for my conviction is that he is not fitted to do it to any reasonable extent. Even granting these large presumptions, the Commissioner should not have been allowed by the Government to make the remarks as they are quite out of place and improper for the police to sit in judgment on those whose orders they are paid to carry out. This piece of cheek on the part of the police deserves a slap. But I am sorry to observe that the Government, most probably merely following similar observations by previous Governments without stopping to think over the seriousness of the matter, have patted the Police Commissioner on the back for insult offered to the Magistracy and to the people. The Government observe as follows about this matter in their Order No. 102/27/Judl., dated the 12th January 1927 :—

"In no case does compensation appear to have been awarded to the policemen prosecuted. The Ag. Commissioner of Police observes that in spite of repeated requests year after year and G. O. R. Dis. No. 285/26/Judl., dated 28th January 1926, there has been no inclination on the part of the Magistracy to follow the spirit of the High Court's Criminal Circular No. 3 of 1099 regarding the award of compensation to the policemen in cases where the complaints against them are found to be frivolous or vexatious."

PRESIDENT: Time.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): A minute more to conclude. The Government have drawn the attention of the District Magistrates to this observation. Well, I think it is really regretable,—this sort of patting on the back of the Police for insulting the magistracy. I think the complaints on the part of the people against the oppression and insult caused to them by the police are more or less due to this encouragement.

PRESIDENT: Time.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): I have no time to deal with all the things that I have to say; but I only point out that the people have a great grievance and complaint against the Police Department and that the Government should take drastic steps to remedy the evil.

MR. W. H. PITT (*Commissioner of Police*): Sir, I admit that the words which Mr. Raman Menon read out are badly chosen and I do not know whether they have been copied, as he suggests from what I myself wrote in previous years. It is quite possible. But actually the subject has been copied from Administration Reports elsewhere and it is one of the subjects which usually appears in Police Administration Reports everywhere. There are generally a number of cases of policemen maliciously prosecuted and, I need hardly say, we are liable to malicious prosecution and in cases where no compensation is awarded, it is generally dealt with in the Police Departmental Report. In fact, all that we do in Travancore is to refer to the High Court Circular that compensation

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should be awarded in such cases. I do not know that we are going out of our sphere in reporting to the Government how far that circular is being carried out. I am not prepared to speak on that subject, and all that I can say is that I shall look it up. If it appears that this subject might be left out of the report and reported to the Government confidentially, I believe there is no objection in our doing that year after year. Although in a judgment it may be stated that so and so has been maliciously prosecuted, it has been the experience that no compensation is awarded. When the Ag. Commissioner says that, obviously he refers to those policemen who have been found by the courts to have been frivolously prosecuted.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*) : May I know whether the Commissioner has made any complaint about the payment of compensation to those who have been prosecuted by the Police and acquitted by courts ?

MR. W. H. PITT (*Commissioner of Police*) : I think that is a different matter altogether. I do not think that we should go out of our way to see that persons whom we have prosecuted—my friend does not say frivolously—and acquitted should obtain compensation. There are Mr. Raman Menon and others here who will obtain compensation for them.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): May I know from the Commissioner whether the following statement in the report is warranted by the facts of the case ?

"Anti-tapping propoganda was set up by certain temperance workers in the taluks of Minachil, Vaikam and Changanachery and it required extra vigilence on the part of the local police to avert the apprehended breaches of the peace in connection therewith."

MR. W. H. PITT (*Commissioner of Police*) : I was on leave then.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*) : If it is not warranted by the facts, would the Commissioner make the necessary correction ?

MR. W. H. PITT (*Commissioner of Police*) : I am afraid I cannot offer to do that.

MR. K. I JOSEPH (*Minachil* cum *Devicolam*) : Is he not aware that after the Dewan's visit to Minachil the Dewan himself stated that there was no likelihood of any breach of peace in Minachil ?

MR. W. H. PITT (*Commissioner of Police*) : May I know when his visit took place ?

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Last year, in the month of Kanni I think.

MR. W. H. PITT (*Commissoner of Police*) : I think I was in England then. (*Laughter*). I recollect being told about it.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Will the Commissioner record the matter in the current year's report ?

MR. W. H. PITT (*Commissioner of Police*) : I am afraid I cannot offer to do that.

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PRESIDENT: In which year's report does it appear?

MR. W. H. PITT (*Commissioner of Police*): In the departmental report for 1101. We do sometimes correct mistakes in figures.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Is it competent for the Commissioner to withdraw those statements from the report since it has been approved by the Government?

PRESIDENT: It is not usual to rewrite what has already passed in an official report.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, I wish to speak a few words on this motion. I am afraid the position of my friend Mr. Raman Menon has not been sufficiently understood by the Police Commissioner. Of course, he has qualified his expression with certain necessary as well as unnecessary epithets. Nevertheless it ought not to go, or in any way be allowed to mitigate the strength of the position. It is a matter of common knowledge in this House that on one occasion when discussion arose on a subject concerning the Excise Department, certain member interrogated the Law Member asking whether the Excise Commissioner had recommended to the effect that, invariably, in the Excise cases charged before the Local Magistrate, the punishments awarded by way of fines were not deterrent and that in the interest of detection, the conviction of people punished by way of fines should be raised. When a member interrupted the Law Member, he also accepted the position that in the interest of detection it is highly desirable that fines should be raised. Of course, the non-official members took entirely a different position. On no account whatever, the Magistrate's judicial attitude should be interfered with by the Government. So also I believe the same significance my friend Mr. Raman Menon attaches to the position he took in this motion. It is also known to the people at large that they are accustomed to a number of cases charged by the police before local Magistrates which do invariably end in conviction. I believe it is due to a great deal to this way of complaining to the Government that the police people's position is not understood or appreciated by the magistracy. The result is, the charges framed by the police before the local Magistrates and prosecuted with a certain amount of success, as far as my short experience goes, invariably ended in conviction. Now, Sir, turning to this question, as the Police Commissioner himself admitted, the law charges were intended exclusively for fees to Vakils engaged when Police officers are prosecuted by private individuals and thereby to give the help of a lawyer to defend his position. He is amply remunerated as seen from the provision made in the budget. I ask, why then the Police Commissioner should not concede this position that if there be a fit case for the police officer, who is accused, the vakil is expected to move and argue successfully before the Magistrates, would compensation and then be given if it is really a vexatious charge and not for the commissioner to move the Government in that matter? The Police officer is defended by Government and we can more or less expect from every vakil who is properly remunerated to leave no stone

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unturned, if it is a vexatious charge to get compensation. If that be conceded where is the necessity for the departmental head to say that the High Court circular is not being obeyed by the Magistrates? But by obeying the orders of Government it goes a great way in unhinging the judicial attitude of the Magistrates, particularly so when they happen to be temporary Magistrates. So, when after the explanation that I have offered in respect of Mr. Raman Menon's motion, I believe his motion will be appreciated, at any rate by the major portion of this House. So, it is highly desirable that the Government may as well think of leaving the Police Department to stand by itself and not, as my friend put, pat them on the back in season and out of season.

MR. KALLUR NARAYANA PILLAI (*Pattanamtitta*): മിസ്റ്റർ രാമൻ മേനവന്റെ ഉപക്ഷേപത്തെ ഞാൻ ഹാർദ്ദമായി അനുകൂലിക്കുന്നു.

പോലീസുകമ്മീഷണർ മിസ്റ്റർ പിറ, തിരുവിതാംകൂറിലുള്ള സകല ജാതിമതസ്ഥർക്കും ഒരുപോലെ സുസമ്മതനായ ഒരു ഉദ്യോഗസ്ഥനാണെന്നുള്ളതിൽ അശേഷം എനിക്കഭിപ്രായവ്യത്യാസമില്ലാ. എന്നാൽ അദ്ദേഹത്തിന്റെ സിൽബന്ധികളിൽ നിന്നും ജനങ്ങൾ അനുഭവിച്ചുവരുന്ന സങ്കടങ്ങൾ വിവിധങ്ങളാണ്. ദേഹോപദ്രവം ഏല്പിക്കുന്നതിനു വിരുതന്മാരായ കുറെഅധികം ആളുകൾ ഉണ്ട്. അതുപോലെതന്നെ വേറെവിധത്തിൽ ജനങ്ങളുടെ ധനത്തെ ക്ഷയിപ്പിക്കുന്നതിനു സാമർത്ഥ്യം ഉള്ള ആളുകളും ഉണ്ട്. ഇങ്ങനെ ജനോപദ്രവികളായ പല സിൽബന്ധികളിൽ നിന്നും പലവിധത്തിലുള്ള ദുരിതങ്ങൾ ജനങ്ങൾ അനുഭവിച്ചുകൊണ്ടിരിക്കുന്നു. ഈ നിലയിൽ ദുരിതം അനുഭവിച്ചുകൊണ്ടിരിക്കുന്ന ഒരാൾ ഒരു പോലീസുദ്യോഗസ്ഥന്റെ മേൽ ഒരു ക്രിമിനൽകേസു കൊടുക്കുന്നതിനു വിചാരിക്കുന്നതായാൽ അതിനു വേണ്ടവിധം തെളിവുകൊടുക്കാൻ സാധിക്കാതെ ഒരുപക്ഷേ ആ പ്രതി രക്ഷപ്പെട്ടുപോയി എന്നുവരാം. എന്നാൽ പോലീസുകാരിൽ നിന്നും സാധാരണ സങ്കടം അനുഭവിക്കുന്ന കക്ഷികൾ മിക്കവാറും പാവപ്പെട്ടവരാണെന്നുള്ളതിൽ യാതൊരു സംശയവുമില്ല. ഇങ്ങനെ പാവപ്പെട്ട ആളുകൾ പോലീസുകാരുടെമേൽ ഒരു കേസുകൊടുത്തു പ്രതിയെ ശിക്ഷിപ്പിക്കത്തക്കവണ്ണം വേണ്ടവിധം തെളിവുകൊടുക്കാൻ പ്രാപ്തന്മാരായിരിക്കയില്ല. അഥവാ അങ്ങനെ വല്ലവരും കേസുകൊടുക്കുന്നു എന്നുതന്നെ വിചാരിക്കാം. ആ കേസ്സിൽ പ്രതിയെ വിടുന്നപക്ഷം മജിസ്ട്രേട്ടുമുഖാന്തിരം കാമ്പൻസേഷൻക്രടി കൊടുക്കണമെന്നുള്ള നിഷ്കർഷയിരിക്കുന്നിടത്തോളംകാലം ജനങ്ങൾ ഇവരിൽനിന്നും എന്തെല്ലാം സങ്കടങ്ങൾ അനുഭവിച്ചാലും ആ സങ്കടങ്ങളെ പറഞ്ഞ് ഒരു കോടതിയെ ധരിപ്പിക്കാൻ ധൈര്യ

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പ്പെടുകയല്ല. കാമ്പൻസേഷൻ നല്കുക എന്നുള്ള ഏർപ്പാട് ജനങ്ങളുടെ രക്ഷയെ പാടെ ഹനിക്കുന്നതായ ഒരു വ്യവസ്ഥയാണ്. എന്നാൽ കോടതിയുടെ കഥ നോക്കുന്നപക്ഷം ഇതിനേക്കാൾ പരിതാപകരമാണ്. ഒരു ഫ്സ്റ്റ്ഗ്രേഡ് ഇൻസ്പെക്ടക്ക് ൨൦൦-ം സെക്കൻറ് ഗ്രേഡ് ഇൻസ്പെക്ടക്ക് ൧൫൭ രൂപായും ഒരു മജിസ്ട്രേട്ടിനു ൧൫൭ രൂപായും ആണ് ശമ്പളം നിശ്ചയിച്ചിരിക്കുന്നത്. അതുകൊണ്ട് ഒരു ഫ്സ്റ്റ്ഗ്രേഡ് ഇൻസ്പെക്ടർ മജിസ്ട്രേട്ടകോടതിയിൽ ചെന്നാൽ മജിസ്ട്രേട്ട എഴുന്നേല്ക്കണൊ വേണ്ടയൊ എന്ന ക്രുടി സംശയിച്ചുപോകുന്നു. അടുത്തകാലത്തു ഒരു പോലീസുദ്യോഗസ്ഥൻ കണ്ണുരുട്ടി കാണിച്ചപ്പോൾ ഒരു മജിസ്ട്രേട്ട വിറച്ചതായി എനിക്കറിയാം (ചിരി).

MR. K. I. JOSEPH (*Minachil cum Devikolam*): Why should the Magistrates be afraid of the Police?

MR. KALLUR NARAYANA PILLAI (*Pathanamthitta*): ഉദ്യോഗസ്ഥിരപ്പെടുത്തി കിട്ടണമെന്നാഗ്രഹിക്കുന്ന മജിസ്ട്രേട്ടന്മാക്ക് ഇവരെ ഭയപ്പെടാതെ കഴിയുകയില്ല. നാല്പതൊ അൻപതൊ രൂപാ ശമ്പളം ഉള്ള ക്ലാക്ക്മാരെയാണ മജിസ്ട്രേട്ടന്മാരായി അയക്കുന്നത്. പോലീസു ഡിപ്പാർട്ടമെൻറുകാർ ചാജ്ജ് ചെയ്യുന്ന കേസുകൾ അധികം ശിക്ഷിക്കുന്നില്ലെന്ന ഡിപ്പാർട്ടമെൻറിൽനിന്നും ഒരു റിപ്പോർട്ടകൊടുത്താൽ ഇയാൾ മജിസ്ട്രേട്ടുദ്യോഗസ്ഥനു പ്രാപ്തനല്ലെന്നുള്ള അഭിപ്രായത്തോടുക്രുടി പഴയ ജോലിക്കു റിവർട്ടചെയ്യും. അതുകൊണ്ടു മജിസ്ട്രേട്ടന്മാക്ക് പോലീസുദ്യോഗസ്ഥന്മാരുടെ ഇഷ്ടാനുസരണം പ്രവത്തിക്കാതെ ഗത്യന്തരമില്ല. പോലീസുദ്യോഗസ്ഥന്മാർ പ്രതിയായി വരുന്ന കേസുകളിൽ അവർ കുറക്കാരല്ലെന്നു കണ്ടു് ഡിസ്ചാജ്ജ് ചെയ്കയൊ വിട്ടയക്കുകയൊ ചെയ്യുന്ന വിഷയത്തിൽ compensation കൊടുക്കേണ്ടതാണെന്ന ഗവണ്മെൻറിൽനിന്നും നിഷ്കർഷിക്കുന്നപക്ഷം പോലീസ്സുകാരുടെ അക്രമങ്ങളെ കോടതിയിൽ ധരിപ്പിക്കുന്നതിനു ആരും മടിക്കുകതന്നെ ചെയ്യും.

താഴ്ന്നതരം ഉദ്യോഗസ്ഥന്മാരിൽനിന്നും ആണ് ജനങ്ങൾ അധികം സങ്കടങ്ങൾ അനുഭവിച്ചുവരുന്നത്.

൨൫ രൂപാ ശമ്പളമുള്ള ഹെഡ്കാൺസ്റ്റബിൾമാരെ പ്രമോഷൻകൊടുത്തു് ഇൻസ്പെക്ടറന്മാരായി നിയമിക്കുന്ന നയം സ്വീകാര്യമല്ല. ഒഴിവുവരുന്ന ഇൻസ്പെക്ടർ ജോലിക്കു ൧൦൦-ക്കു ൨൫ വീതം ഡിപ്പാർട്ടുമെൻറിൽ നിന്നും പ്രമോഷൻ കൊടുത്തു നിയമിക്കണമെന്നു് ഇപ്പോൾ വ്യവസ്ഥയുണ്ട്. ൨൫ രൂപാ ശമ്പളത്തിൽനിന്നും അയാൾക്കു ഒരു മാസ്സത്തിൽ കാണാൻക്രുടി സാധിച്ചിട്ടില്ലാത്ത ൧൫൦ രൂപാശമ്പളം ഒന്നോ

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[Mr. Kallur Narayana Pillai.]

ടെ കിട്ടുമ്പോൾ ഏതെന്നില്ലാതെ ഒരു അഹങ്കാരം ജനിക്കുന്നു. അവരിലാണ് കൈക്കൂലി അധികം കണ്ടുവരുന്നത്. ഈ തരക്കാരെ ഇൻസ്പെക്ടർജോലിക്കു നിയമിക്കുന്നതു ജനരക്ഷക്കു നല്ലതല്ല. ഇൻസ്പെക്ടർമാരായി ഗ്രാഡുവേറുകളിൽനിന്നുതന്നെ ആളുകളെ തിരഞ്ഞെടുക്കണം.

(കെ. ഐ. ജോസഫ് ഹീയർ ഹീയർ)

ഉദാഹരണമായിട്ടു ഹെഡ് കാൺസ്റ്റബിൾമാർ ഇൻസ്പെക്ടർ ജോലിയിൽ ൧൦-൦ ൧൧-൦ കൊല്ലം ആക്റ്റുചെയ്തിട്ടുള്ളവരെ വീഴ്ചക്കാരെന്നു കണ്ടു തിരിയെ റിവർട്ടു ചെയ്തിട്ടുണ്ട്. അവരെത്തന്നെ പിന്നെയും ഇൻസ്പെക്ടർ ജോലിക്കു നിയമിച്ചു കാണുന്നു.

അടുത്ത ഒരു അവസരത്തിൽതന്നെ ൧൦-൦ ൧൧-൦ കൊല്ലം ഇൻസ്പെക്ടരായിരുന്ന ഒരു ഹെഡ് കാൺസ്റ്റബിളിനെ ആറാം ആറാണെന്നു ഞാൻ ഇവിടെ പ്രസ്താവിക്കുന്നില്ല തിരിയെ ഹെഡ് കാൺസ്റ്റബിളായി രണ്ടാഴ്ചക്കുമുമ്പു കമ്മീഷണർ തിരിച്ചയച്ചു. ഇങ്ങിനെ ഉദ്യോഗത്തിനു യോഗ്യതയില്ലാത്ത ആളുകളെ വീണ്ടും വീണ്ടും പ്രോത്സാഹിപ്പിക്കുന്നതുകൊണ്ടാണു ജനങ്ങൾക്കു പലവിധത്തിലുള്ള ബുദ്ധിമുട്ടിനും കാരണമാകുന്നത്. അതുകൊണ്ട് ഇൻസ്പെക്ടർമാരായി ഗ്രാഡുവേറുകളിൽ നിന്നുതന്നെ തിരഞ്ഞെടുക്കണമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി ഞാൻ മിസ്റ്റർ രാമൻ മേനവന്റെ ഉപക്ഷേപത്തെ ഹാർദ്ദമായി പിൻതാങ്ങിക്കൊള്ളുന്നു.

MR. P. K NARAYANA PILLAI (*Ambalapuzha*): Sir, as some warmth in the discussion of the motion under consideration was evinced, it appears necessary to consider the matter so far as the other members are also concerned. The particular passage in the Administration Report of the Police Department that was brought to the notice of the House consists of the following statement :—

"Of these, 40 were discharged and 26 under trial at the close of the year. In no case was compensation awarded to the policemen frivolously prosecuted."

Now, if this particular observation of the Ag. Commissioner of Police is based upon the judgments in the various cases referred to by him, I think it has got a very good basis. But if the expression '*frivolously prosecuted*' was the opinion of the Ag. Commissioner himself, it has to be very strongly depricated. The Government and the legislature thought fit to throw round the policemen some protection. I may, for example, refer to Section 70 of the Police Regulation and 173 or some such section of the Criminal Procedure Code. It requires the sanction of Government to prosecute certain Police officials. The section in the Police Regulation is a special provision for safeguarding the interest of the policemen, probably in view of the peculiar nature of the duties

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entrusted to them. But to claim special treatment before the Magistracy is a very different thing. The High Court Circular does not lay down any new law except what is already contained in the statute. The circular, I recollect, is intended to elucidate a principle of law already existing in the Criminal Procedure Code, that any person when vexatiously or unreasonably prosecuted is entitled to compensation at the hands of the Magistracy. Therefore, before compensation is so ordered by the Magistrate, he must find as a fact that the prosecution launched against the accused has been vexatious or unreasonable. If a police officer is prosecuted in the same way and the Magistrate finds that the prosecution has been vexatious or unreasonable, I can quite well appreciate the contention on the part of the Police Department that he should like any other individual of the State be given compensation. But in cases where the Magistrate does not find that the prosecution has been vexatious, but all the same owing to the paucity of evidence discharges the accused, what differential treatment can be claimed by the policeman? Forty cases of discharge of policemen are reported in the Administration Report. Does the Commissioner or did even the Acting Commissioner satisfy himself whether there was any finding in the judgments of the courts of law in these cases that the prosecutions were "vexatious" and "unreasonable"? And in the absence of any such finding, how can the Acting Commissioner or for that matter of that even the permanent Commissioner claim to bring to the notice of the Government such instances?

MR. W. H. PITT (*Commissioner of Police*): I said that is not correct. The observations are correct. What the Ag. Commissioner meant was those cases in which the prosecution was found by the courts to be frivolous. I am certain of that.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Then of course the criticism is very legitimate, if the Magistrate finds as a fact that the prosecutions were frivolous. But in the absence of such observation in the judgment itself, it is equally blameworthy to have brought it to the notice of the Government.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Is there anything to show that the judgments did not contain such statements?

MR. P. K. NARAYANA PILLA (*Ambalapuzha*): I do not know. I am making only a conditional statement.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): How are we to consider the question unless we have before us copies of judgments themselves? How will we otherwise be in a position to find out whether the judgments actually contained the word or not?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Perhaps the facts admitted by the other side may be availed of.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): In the absence of the judgments, are we not to presumed that the statement in the report is true?

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MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): It may or may not be true.

So, unless the statement is proved to be correct, it is open certainly to comment. If, as I submitted, the judgment thus stands self-condemned, then the criticism is well deserved. Be it the acting or the permanent Commissioner, he is at liberty to make that observation, but not otherwise.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Could it not be that these were cases in which the Magistrates did not proceed to consider whether the prosecutions were vexatious or unreasonable?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): That of course is not obligatory on the part of the Magistrates. It appears that vakils are employed by police officers. It is the duty of the vakils who argue these cases before the Magistrates to say 'Look you here; you have to go into this question also.' If the vakils fail to do that, it is not the fault of the Magistrates.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If the Magistrates do not go into the question whether the prosecution was a vexatious one or not, is there anything wrong in the Police Commissioner reporting that fact to the Government?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Certainly, there is something wrong. The proper officer before whom the matter will have to be agitated is the Magistrate. Of course, the Police Commissioner or the person concerned or his Vakil is at liberty to petition the courts. If that petition is not considered, then he is at liberty to petition the higher courts to revise the proceedings of the Magistrate. Instead of adopting such tribunals as channels for agitating, to charge the Magistracy before the public—the Magistracy before whom all the citizens of the State will have to be treated alike—and to intimidate the Magistrates into a particular course of conduct that, certainly, Sir, is a very reprehensible course.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does a revision lie to the High Court?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): To the High Court or to the District and Sessions Court, according to the order of the authority complained about.

If the Magistrate himself has stated that there was frivolous prosecution and at the same time declined to award the necessary compensation, any man is at liberty to find fault. The Judgment stands self-condemned. But in the absence of such observation or admission of irregularity by the Magistrate, I say a higher tribunal will have to be moved. If it is found that a Magistrate is purposely dealing with a case in a peculiar fashion, the Magistrate's conduct may then be considered. But, in the absence of anything in the judgement to show that the Magistrate considered the prosecution vexatious, it is not for an outside party like the Commissioner of Police who is not a party to the prosecution to say that the Magistrate's pronouncement is perfunctory.

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MR. M. SIVATANU PILLAI (*Tovala*) : What would the member think if the Magistrates themselves proceed to give the conpensation to the parties ?

MR. P K. NARAYANA PILLAI (*Ambalapuzha*) : Certainly. If he is a Magistrate with his wits about him he should himself do it.

MR. M. SIVATANU PILLAI (*Tovala*): What does he think about the reference by the Government to?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): If Government have not satisfied themselves about the impropriety of the conduct of the Magistrate, they are not at liberty to create any prejudice in the matter of the conduct of the business of the Magistracy. That is the aspect of the matter which I would like to point out; for whatever be the protection afforded to the police, in the eye of the law, in the administration of justice, every individual, be he a member of the police force or of the Abkari Department or any other department or any ordinary citizen without any appointment under the Government, every one must be held to be equal.

MR. T. J. MATHEW (*Changanachery* cum *Peermade*): When the Magistrate refuses to award compensation, can we not presume that the Magistrate thinks that the case was not vexatious ?

MR P. K. NARAYANA PILLAI (*Ambalapuzha*): Surely, that would be the presumption.

MR. A. K. PILLAI (*Karunagapalli*): Would not such a passage in the Administration Report bring the whole judiciary into contempt ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): The independence of the judiciary would be undermined.

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*) : The Magistrates as has been pointed out are most of them low-paid officers and to be remarked by high-paid officers that they are not performing their duties properly, with the support of the Government, I beg to state is rather interfering with the independence of the judiciary. Well, Sir, as was pointed out by Mr. Raman Menon, cases may be discharged in which police men are accused. It may be for several reasons. First of all, the Magistrates may feel a doubt whether the accused has to be convicted or not. But, whether the case was frivolous or not is another question and, when the Magistrate did not award the compensation, we have to presume that the procedure was proper and that he felt that the case was not a vexatious one although he discharged the accused on that ground.

Then, to condemn the action of the Magistrates with the support of the Government who have to appoint the Magistrate—probably most of the Magistrates may be acting men and their appointment itself is in the hands of the Government and they may be afraid and may award compensation in all cases in which policemen are accused that is a consummation which is dangerous. I would therefore submit that such statements and reports accusing the action of the Magistrate are not proper.

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[Mr. T. J. Matthew.]

I have also to point out one other circumstance. The commissioner of Police said that the report only refers to cases in which in the judgments themselves there have been findings that the cases were vexatious.

MR. W. H. PITT (*Commissioner of Police*) : I said "were found to be frivolously prosecuted."

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*) : If there is such a finding in the judgment, then they have to be allowed compensation.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Could not a complaint be made to Government then ?

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*) : I think no complaints could be made to Government. Even if there is a frivolous prosecution, when there is such a finding in the judgment surely the High Court in passing the calendar will revise it and will pass some proceedings condemning the action of the Magistrate.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Could not the Police Commissioner bring the Magistrate's conduct to the notice of the Government.

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*): The matter can only be brought to the High Court by a petition for revision The judiciary must be entirely independent and the High Court must be the only controlling authority. The proper channel in such cases is the High Court.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Could not a complaint be made to Government so that the Government may institute the necessary action ?

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*): Government may be petitioned in such cases. But if there was any illegality, the proper channel must be the High Court.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The Government may instruct Sirkar Vakils to move.

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*): That may be done; but that was not the spirit in which the report was sent.

MR. A. K. PILLAI (*Karunagapalli*): The Police Department comes in for a good deal of criticism, I think, for the most part, legitimate criticism. The Police Department is one of the departments that come into contact with the people in their every day life. But they will have to come into contact with them not as a source of terror, but as friends who will be available to help them in their difficulties.

MR. W. H. PITT (*Commissioner of Police*) : May I ask who were Mr. A. K. Pillai's friends when he himself got into trouble ?

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MR. A. K. PILLAI (*Karunagapalli*): I am not making any representation on my behalf about the conduct of police men. I may say that a number of policemen rushed into one of the shops situated in a popular thoroughfare in Quilon and assaulted the shop-keeper in the open day light.

MR. W. H. PITT (*Commissioner of Police*): I think this case is under judicial enquiry.

MR. A. K. PILLAI (*Karunagapalli*): I accept it and I do not therefore proceed to state more about it which I know as a matter of fact. I may quote other instances too. In Alleppey, 18 months back a respectable officer of the department—a Head-constable assaulted a journalist who was standing on the boat-jetty. Such instances could be enumerated, but I am sure members know what is going on as a matter of fact in the department. There are a few respectable officers here and there. That does not ensure the standard of morality of the whole department. Why should we not complain that a Magistrate here and there assaulted a party that does not actually occur? But we do complain that the police people take the law in their own hands and do unjustifiable actions. Perhaps these instances are not taken to the Police Commissioner fearing that they may not succeed in getting the man convicted before the Magistrate and given proper evidence. For instance, if the Police administer punishment then and there, probably they will have a check-mating effect. Then they understand the law and their function in helping the administration of law. On the other hand police administration comes in for a good deal of criticism, I may even say very severe condemnation at the hands of the public. I should expect that the higher authorities like the Commissioner and the members of the Government must feel one with the people in seeing that the morale of the department is improved. We find that they only feel rather nervous about these things being mentioned. Why should they think like that? They should co-operate with the people. It should be a point of honour to see that the department is credited with good conduct. Their conduct should be as far as possible unimpeachable. Every one of us has got some complaint or other to make.

To quote another instance, one Mr. M. N. Nair was made to march up and down the road by a Police Inspector in day light. Such things do happen every day. These facts, I am sorry to say, do not reach the Police Commissioner for fear of speedy punishment.

Very recently, some pious Namputiries were assaulted and even robbed by policemen. I was told that money to the extent of Rs.14 was taken away by the policemen.

MR. W. H. PITT (*Commissioner of Police*): Will the member be prepared to give evidence on that point in a court of law?

MR. A. K. PILLAI (*Karunagapalli*): I hope I will be able to induce the Namputiries and put sufficient courage into their minds and institute a case. I do hope to succeed in that attempt. With these words, I only want to give an idea of the sort of things that are obtaining in the Police Department.

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MR. G. RAMAN MENON (*Mavelikara* cum *Karthikapalli*) : I am sure to be stopped for want of time. So, I shall just deal with some points which strike me as most important. I shall first deal with the desperate guess made by Mr. Pitt regarding the judgment of the Magistrate.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : May I know from the member whether the forty cases of discharge include the two cases of discharge where the Police Department itself was the prosecutor?

MR. G. RAMAN MENON (*Mavelikara* cum *Karthikapalli*) : No, they are not included. The number of men concerned in such cases also fell from 73 to 66. Of course, the Commissioner is dealing with these 66 cases. Of these, 40 were discharged and 26 are under trial. So, all the 66 are disposed of. Therefore, it is quite improbable that all these 40 cases which were discharged were frivolous and that the Magistrate themselves would have condemned themselves in the judgments. It is not probable on the face of it, whatever others might say. I presume that Mr. Pitt himself did not scrutinise all these judgments, because the report itself was written by his lieutenant. So far, I have to say, that the allegation, and, the desperate guess made are not on the face of it proper. Even if it were so, the proper course would have been to call for a revision and the parties aggrieved could have done it as pointed out by Mr. P. K. Narayana Pillai and so long as they did not do so, the presemption is that they themselves were afraid that if the case was taken for a revision it may bring them even to punishment by the order of the High Court.

As regards the remarks made by the Government upon that point of course, they are much milder than those made by the Police Commissioner. Still, I find that there are objectionable portions as pointed out by Mr. P. K. Narayana Pillai. In this matter, I believe the Government ought to be blamed far more than the Policemen. They ought to know better. I hope that the Government happened to make this observation because of inadvertence. Anyhow, such inadvertence should not recur. I have had occasion to know of similar cheek and presumption in other matters also on the part of the Police not being promptly snubbed by the officers whose duty it was to do so. I have no time to deal adequately with instances. I hope that the Government can easily get the necessary information. I myself can supply the information if wanted.

I request, Sir, that the Police as such should be treated as subordinates to the judiciary and that the claims of Policemen to justice from the courts should not be regarded as in any way superior to those of the members of the public at large. The Policemen are appointed and paid for looking after the safety of the public. They have to run risks and they are paid for it. In this connection, I wish to say that the pay of the lowest grades of Policemen should be increased and that all facilities may be given to them for doing their work properly. But their claims to compensation for frivolous prosecution should not in any way be treated as greater than those of the members of the public. I submit in this connection that the claims of members of the public are much greater

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than those of the Policemen. I ask, Sir, why the Government did not enquire in how many cases compensation had been awarded to the members of the public who had been prosecuted by the Police when such members of the public were acquitted? Further I have to point out that the police authorities suppress facts so as to make everything appear satisfactory on paper. I think the Government, as the father or mother of all, should enquire into the complaints of the other people also. On the whole, I find that there are very grave complaints against the police. I therefore suggest that the Government may be pleased to appoint local committees of non-officials with individual and collective powers of visiting Police Stations at any time, to record their remarks in a visitors' book to be kept in every station and to report about the working of the police in their area, directly to the Government. They should also be allowed to correspond with the superior officers of the Police Department and the Magistracy about necessary matters.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : Suppose the visitors' book is destroyed by the local policemen?

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): There should be provision made against such acts by the Government.

These are merely my suggestions not the points pressed in the motion. The special point that I wish to press is that the people generally are being oppressed and insulted by the police to an enormous extent and that the superior officers of the department and the Government should take more effective steps to lessen the evil than they are doing at present. I hope that all non-officials who agree with this very moderate statement will vote for the motion. This I point out as a precautionary measure to prevent undesirable complications and interpretation. I am not pressing every sentence contained in my speech, but I only submit the above statements for the judgment of the House. This is only a token motion to record the opinion of the House, especially of the non-official members, about police administration in the State and is not a 'no-confidence' motion either against the head of the department or the Government. The powers and privileges of this House are far different from those of the British House of Commons. This House can at the most only submit its considered decision at the feet of the Sovereign authority. I submit that no difficulties may be raised by the officials in the name of the Government even against this moderate procedure. Under the existing circumstances in Travancore, it seems to me that fairness demands that the Government officials should merely speak about the matter raised by such motions and preserve neutrality privately as well as in public as regards voting.

MR. W. H. PITT (*Commissioner of Police*): Sir, I have not made my meaning clear with regard to the offending paragraph. As Mr. Raman Menon pointed out, the same sort of words is being repeated year after year not only here and in Madras, but in various other places and the meaning is that "in no case in which the court

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[Mr. W. H. Pitt.]

found that a policeman had been frivolously prosecuted was compensation awarded." I think probably the tone of the paragraph may be bad. I find the words are objectionable. Anyhow, in the report for 1102 they will not appear. I am inclined to think that the paragraph is merely statistical in its purport.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know whether the forty cases mentioned in that particular paragraph include also the two cases of discharge in which policemen were prosecuted by the Police Department itself?

MR. W. H. PITT (*Commissioner of Police*): There is no connection between the two. The paragraph deals with all policemen prosecuted judicially.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Including also the cases of policemen prosecuted by the Department itself.

MR. W. H. PITT (*Commissioner of Police*): Mr. Raman Menon suggested that in two cases the Police prosecuted frivolously. What Mr. Raman Menon said is exactly the same as what Mr. A. K. Pillai said. He said that the police go out of the way in finding fault with public and carelessly prosecute them.

MR. A. K. PILLAI (*Karunagapalli*): I only said that when we in this House severely criticise the subordinates of the Department, the Police Commissioner and other officers in the Department should view our criticisms with pleasure.

MR. W. H. PITT (*Commissioner of Police*): Mr. A. K. Pillai referred to the instance of a journalist, which occurred 18 months' back, who could not get a bus. The facts are that on that particular day, the Police Inspector had some friends who had come there to visit Ambalapuzha and the Inspector had reserved a bus for his friends to go back. When this journalist wanted a seat in the bus, the Inspector told him that the bus had been reserved for his friends and that therefore there was no room for him. The journalist was as a result deprived of travelling and he had to walk back to Alleppey. Enquiries were made and the Inspector was punished. I do not think there was any question of assault on anybody.

MR. A. K. PILLAI (*Karunagapalli*): Mr. Pitt is confusing the two cases. I mentioned one instance at Ambalapuzha and another at Alleppey. It was at Alleppey that the journalist was assaulted. The other case was about Mr. M. N. Nair, a member of the Development Board who was made to march up and down, because the police officer did not consider that he should have preference in the bus.

MR. W. H. PITT (*Commissioner of Police*): I do not think there was any question of marching up and down. The facts are that the gentleman went to the station to find the Inspector and to complain to him about the want of a seat in the bus. He had to wa

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for some time. He was kept waiting in the police station. I think he had to walk to the station and back. This is what I remember. I do not know all the facts of the case. The whole question was investigated and it was found that the Inspector was not right in having reserved a bus for his friends and, as a matter of fact, he was punished.

With regard to the case in Quilon, I have called for reports several times, but I have not got them yet.

With regard to the complaint of the Namputiris, the matter has come under police enquiry. The report says that there is no evidence to show that the Namputiris concerned lost money. As a matter of fact; the conduct of the Head Constable is unjustifiable and he has to be punished, whatever be the result of the investigation with regard to the loss of money.

Mr. A. K. Pillai quotes individual cases to show that the superior officers of the Police Department do not take proper action then and there. That I think is absolutely ridiculous.

MR. A. K. PILLAI (*Karunagapalli*): I did not say so. I do appreciate the vigilance of the superior officers of the Department. I only say they ought to be *still more* vigilant and should take the criticisms that we make here in good spirit.

MR. W. H. PITT (*Commissioner of Police*): I do not intend to take such criticisms in good spirit. I do take action whenever I am given information about cases. I think the members on the other side of the House are aware of that. Out of the three cases, one is under investigation and, in regard to other two, orders have been passed and punishments are to be awarded. I did not understand Mr. Sivatanu Pillai's reference when he put a question to the Law Member about the Excise Department. Certainly, it is not the practice of the police to write to Government and say that the Magistrates are not convicting cases or do not award sentences as suggested by the Police Department. No such letters have ever been written during the last five or six years, so far as I know. I did not catch what exactly his point was.

MR. M. SIVATANU PILLAI (*Tovala*): The Law Member accepted the position that the Government drew the attention of the Magistrates in the matter of raising fines in the Excise cases. I ask whether the same principle would hold good with the Government when they are approached by the Police Department and when their attention was drawn to the question of awarding compensation for frivolous charges.

MR. W. H. PITT (*Commissioner of Police*): I understand him now. I think it was he who referred to the fact that policemen who are frivolously prosecuted are entitled to receive compensation in addition to being defended at Government cost. I may inform him that all such policemen are not defended at Government cost. It is only in cases where the police officers in the course of their duty are alleged to have committed some acts and are prosecuted for the same that they are defended at Government cost. Such cases are not many. There are only one or two cases, not more than three, I am sure in any year.

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MR. M. SIVATANU PILLAI (*Tovala*): May I know whether, as a result of the recommendation made by the Police Department, the Government enjoined certain Bench Magistrates' Courts not to try certain cases?

MR. W. H. PITT (*Commissioner of Police*): I think there was an order by the District Magistrate. I am not aware of any Government order.

MR. M. SIVATANU PILLAI (*Tovala*): The District Magistarte did it only on behalf of Government.

MR. W. H. PITT (*Commissioner of Police*): I believe there have been a few cases in regard to which the District Magistrate ordered that the Bench Magistrates should not try them.

MR. M. SIVATANU PILLAI (*Tovala*): May I know why such an order was issued? Was it due to the recommendation of the Police Department?

MR. W. H. PITT (*Commissioner of Police*): I do not think there was any recommendation by the Police Department. I was not in Travancore at that time. I am not quite sure—

MR. M. SIVATANU PILLAI (*Tovala*): Was it due to want of confidence in the Bench Magistrates or due to want of jurisdiction?

MR. W. H. PITT (*Commissioner of Police*): I think the cases were about motor buses. Some of the Bench Magistrates were themselves, it seems, interested in the business. I think that was the reason why they were not allowed to try those cases.

Mr. Kallur Narayana Pillai was referring to some Head Constables acting as Inspectors. At present, there are 8 Inspectors who are undergoing training. Naturally, there are 8 stations where there are Head Constables acting as Inspectors. The course of training will be over very soon, and soon after they finish the course of training the Inspectors themselves will assume charge of stations.

Then, Sir, I do not think the police ever asked for special treatment either when prosecuted or when prosecuting. There seems to be an idea on the other side of the House that we are doing so. I am not aware that we are doing so. I think it arises out of a misunderstanding of the words unfortunately used in the paragraph already referred to. I shall see that these words are avoided in future.

I hope Mr. Raman Menon will withdraw his motion.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): May I know from Mr. Pitt whether he thinks it probable that in *all* cases of the forty judgments, the Magistrates had recorded that—

MR. W. H. PITT (*Commissioner of Police*): That is not my point at all. My point was that in all cases in which the prosecution was found to be frivolous, the Court did not award compensation. I am not prepared to say how many. There might have been one or two or forty of such cases.

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MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*) : Sir, I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Motions 325 and 326.

The following motions were not made :

MR. G. NARAYANA PILLAI :

325. To reduce the allotment of Rs. 60,177 for Commissioner by Re. 1.

(To discuss the policy of giving promotions in the Police Department.)

MR. K. MADHAVAN PILLAI :

326. To reduce the allotment of Rs. 60,177 for Commissioner by Rs. 100.

Motion 327.

MR. A. K. PILLAI (*Karunagapalli*) : Sir, I beg to make the following motion :—

327. To reduce the allotment of Rs. 1,800 for Duty Allowance to Traffic Inspectors by Rs. 10.

My object is to suggest for tighter rules with regard to motor vehicles. We know that the number of motor buses is growing from day to day and that at the same time and to the same extent they are turning to be a public menace, not only for the passengers who travel in them but also to the pedestrians who happen to be on the roadside. The buses are increasingly becoming a menace to the public and my proposition is that this menace must be stopped. I have got the following suggestions in regard to that.

First of all, the examination of the buses must be made very frequent. At present, the examination of buses is left to certain Engineers who are not in any way responsible to the Police Department. My suggestion is that there must be some departmental adjustment by which they might be made responsible to the Police Department. Or, in cases of prosecutions, these engineers also must be made parties. They must also be charged as accuseds in case any prosecution is conducted as a result of accidents caused on account of the bad condition of the engine. Because it is only in that way that these examiners could be made responsible to the public.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : Is Mr. A. K. Pillai aware that two new Traffic Inspectors have now been appointed to test these buses ?

MR. A. K. PILLAI (*Karunagapalli*) : I do not think they are now testing these buses. I think they are now undergoing training. I do not know what they would be doing after they finish the course of training.

At present, the examination of buses is left to Engineers and they do not do it in a thorough manner. That is my point. In fact, they are not in any manner responsible if accidents are caused by the bad condition of the buses. This arrangement works as a great hardship against the public.

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MR. M. SUBRAHMANYA PILLAI (*Agastisvaram*): May I know whether there would be no accident if all the buses happen to be in perfect order?

MR. A. K. PILLAI (*Karunagapalli*): I only say that it is *one* of the causes of these accidents. To avoid this, the buses must be examined more frequently than at present, and the officers examining them must be made in some way responsible to the Police Department or to the public.

The next suggestion that I have to make is to impose a license fee for the drivers. The drivers are now drawn from the lowest order of people having no education and with no sense of responsibility to the public. They are not at all conscious of the grave responsibility of their work. I have seen drivers driving cars with their hands off the steering-wheel. Such things can be checked only if the drivers are made responsible and if they are drawn from people who are worth something and whose property can be proceeded against in case of loss due to their negligent or rash driving.

MR. M. SUBRAHMANYA PILLAI (*Agastisvaram*): What would be the minimum amount that the member would suggest?

MR. A. K. PILLAI (*Karunagapalli*): I would suggest Rs. 500.

MR. W. H. PITT (*Commissioner of Police*): Does the member suggest Rs. 500 as the annual license fees for each motor driver?

MR. A. K. PILLAI (*Karunagapalli*): I say that Rs. 500 should be deposited by each driver along with his application for license.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): What is the interest that these drivers should be paid for this amount that they are asked to deposit?

MR. A. K. PILLAI (*Karunagapalli*): They should be paid the Anchal Savings Bank interest.

MR. M. SUBRAHMANYA PILLAI (*Agastisvaram*): Is Mr. A. K. Pillai aware that, even at present, there is a license fee which each driver has to pay before he gets his license?

MR. A. K. PILLAI (*Karunagapalli*): I am not speaking of the license fee that goes to the Government. That is not returnable. I am suggesting that each driver must deposit a sum of Rs. 500.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): As in the case of the Newspapers Regulation? (*Laughter.*)

MR. A. K. PILLAI (*Karunagapalli*): Yes, something like that.

MR. M. SUBRAHMANYA PILLAI (*Agastisvaram*): Does he suggest that even those drivers who own buses must be made to deposit Rs. 500?

MR. A. K. PILLAI (*Karunagapalli*): No, drivers who own buses need make the deposit, since they would be careful of their buses, and, in case of any accident caused by their error the bus could be caught hold of. The aggrieved will have something to proceed against. Now, in the case of professional drivers they are absolutely irresponsible and do not mind remaining in the jail for a day or two, or even paying a fine of 4 or 5 rupees.

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MR. M. SUBRAHMANYA PILLAI (*Agastisvaram*) : Does he extend it to pleasure car drivers also?

MR. A. K. PILLAI (*Karunagapalli*): No, only the drivers of motor vehicles plying for hire.

My third suggestion is that the Police Officers must not be allowed to travel gratis. It has become almost a common feature. Every day we can meet in every bus at least one Police Officer travelling without a ticket. This should be checked, and effectively checked. They do not feel any sense of shame in the matter of placing themselves under obligation to the bus owner and the bus driver whom they are expected to control and manage and supervise.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Is Mr. A. K. Pillai aware that, if the Police Officers are not allowed to travel gratis they would charge the buses for over-load?

MR. A. K. PILLAI (*Karunagapalli*) : Yes, that is what actually happens. The department must see that Police Officers do not travel without tickets.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*) : Who is to check them; and how?

MR. A. K. PILLAI (*Karunagapalli*) : Whenever such cases are brought to the notice of the higher officers of the Department, the offending officers must be punished very severely.

Then again, Sir, the Traffic Inspectors must be above temptation — I am not making any reflection on them, Sir. They must see that the public do not have any legitimate cause to complain against them.

After knowing the attitude of the Police Commissioner in regard to these suggestions, I will say what more I have to say.

MR. W. H. PITT (*Commissioner of Police*): Sir, Mr. A. K. Pillai proposes three things, namely, more frequent inspection of motor buses, a deposit of Rs. 500 to be taken from each professional driver of public motor vehicles plying for hire and that Police Officers must not be allowed to travel *gratis*.

Taking the last of these suggestions first, naturally, Police Officers are not allowed to travel *gratis*. Several cases have been detected and the offenders have been really punished. I admit that there are a great many more to be detected, and that is a matter which requires great attention; because, as stated by Mr. Piraviperumal Pillai, if they are allowed to travel gratis they are not likely to do their duty.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know whether it would not be better to entrust the matter of checking of motor vehicles and controlling of motor traffic to Police Inspectors instead of Head Constables and Constables?

MR. W. H. PITT (*Commissioner of Police*) : But it will be very expensive. Even at present, all the Police Officers, from the Commissioner downwards, inspect buses and examine licenses.

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MR. M. SIVATANU PILLAI (*Tovala*): Is the Commissioner of Police aware that in British India only Police Superintendents are empowered to prefer charges of over-loading?

MR. W. H. PITT (*Commissioner of Police*): I do not think that is so now. There must be some local district rule on that subject. I am not sure; but I believe under the Madras Motor Vehicles Rules there is no distinction made between the Constable and other officers of the department. I do not recollect any such distinction.

With regard to more frequent examination of motor buses, actually there have not been very many accidents where we have been able to show that they were due to defective brakes or due to the snapping of axils or other such defects in the vehicle.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Is it not with a view to avoid these defects in the present system of inspection and to facilitate more frequent examination of buses that two new Traffic Inspectors have been appointed recently?

MR. W. H. PITT (*Commissioner of Police*): Yes.

As I already stated, we have not found that any large number of accidents was due to defective brakes or due to the breaking of springs or axils or wheels.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Does the Police Commissioner think that one accident causing the death of six individuals was not enough?

MR. W. H. PITT (*Commissioner of Police*): That occurred in 1092.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Is the Commissioner of Police aware of the fact that on the 11th November 1926 a bus ran over a man at Vadasseri since the brakes failed to act?

MR. W. H. PITT (*Commissoiner of Police*): No, I do not know that; I was not here at that time. It is not my case that there was no accident at all due to defective brakes or the snapping of axils or of springs. My point is that such cases are rare. Accidents have been generally due to bad driving and other causes. I agree generally with Mr. A. K. Pillai when he said that there are not sufficiently frequent inspections of buses. I frequently send out orders that buses must be examined more frequently.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Does he not think that surprise test audits by qualified men would minimise such accidents?

MR. W. H. PITT (*Commissioner of Police*): For a bus to be examined thoroughly it might take two or three hours for an Engineer. But to see whether the brakes are in order, it does not require any expert knowledge. I can do it, and I believe my friend Mr. Piraviperumal Pillai also can do it. To see whether a car is safe, it is not necessary that the engine should be examined thoroughly by an expert engineer. Whether the engine is in perfect order or whether the car

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would run 40 miles per hour or 35 miles per gallon of petrol, all these things need not be ascertained to make sure that a car is safe to be made use of by the public. As I said already, to ascertain whether the brakes are in perfect order or whether the axil is strong enough, great skill is not required.

The question of forcing the drivers to make a deposit of Rs. 500 is very interesting one. I can see the consequence of it if it is introduced. The motor industry in Travancore will come to a full stop. There are 650 buses today and I think between 50 and 100 have applied for fresh licenses. We may say that about 700 vehicles are running today and there are probably about 850 drivers, since some of the Bus Companies have more than one driver per bus. I do not think many of these 850 professional drivers would be in a position to deposit Rs. 500. I am pretty sure there would not be many. I think many of these buses would stop running.

MR. A. K. PILLAI (*Karunagapalli*): The owners will furnish the necessary security for the drivers.

MR. W. H. PITT (*Commissioner of Police*): I do not think they would do it. Many of these bus-owners themselves have suggested to me the necessity for forcing the drivers to deposit a few hundreds of rupees so that they could at least be sure of these deposits in case the drivers, in their usual rashness, break the cars.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Is this the practice anywhere else?

MR. W. H. PITT (*Commissioner of Police*): No. It has been considered and told down in some other countries.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): What has he to say if the deposit is to be Rs. 200?

MR. W. H. PITT (*Commissioner of Police*): No doubt, it would make the man more careful. But, I do not think there would be many who could pay even Rs. 200. As I have already stated, many of these bus-owners themselves have suggested to me that if the drivers were forced to deposit some substantial sum, they would have some chance of recovery in case the drivers break the cars and go away.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether the present practice of testing motor vehicles once in six months is satisfactory?

MR. W. H. PITT (*Commissioner of Police*): I cannot say 'Yes' or 'No'. I admit that they might be better, more thorough. But, from what I can see, they are on the whole as good here as elsewhere.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether he has any control over the present agency that tests the cars?

MR. W. H. PITT (*Commissioner of Police*): Yes, absolutely. When I find that a bus recently examined has failed and has caused an accident, I can at once strike off the name of the officer who examined it

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[Mr. W. H. Pitt.]

from the list of examiners of buses, and from that day he does not get his fee for the examination of buses. I think this is very effective control.

As regards the deposit to be made by the drivers, I do not know whether to oppose it or to accept it. But, my own fear is that the whole industry will stop if this deposit is insisted upon.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : I think the question of deposits might be considered by the Government and by the Commissioner.

MR. W. H. PITT (*Commissioner of Police*) : It has been considered. It will be considered again.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankoḍ*) : മിസ്റ്റർ. എ. കെ. പിള്ളയുടെ ഉപക്ഷേപത്തെ ഞാൻ ഹാർട്ടായി പിൻതാങ്ങുന്നു.

അദ്ദേഹം പ്രസ്താവിച്ച അഭിപ്രായങ്ങളിൽ ഒന്നു ഡ്രൈവർമാരെക്കൊണ്ടു ഡിപ്പാസിറ്റു വയ്പിക്കണമെന്നുള്ളതാണു. എന്നാൽ ഇതു ഇതിനു മുമ്പൊരവസരത്തിൽ ഞാൻ തന്നെ ഇവിടെ പ്രസ്താവിച്ചിട്ടുണ്ടെന്നു തോന്നുന്നു. ഇങ്ങനെ ഈ ഡ്രൈവർമാക്കു ഒരു ചുമതല ഇല്ലാതിരിക്കുന്നിടത്തോളം കാലം പല മോട്ടാർ വാഹനങ്ങളിലും സഞ്ചരിക്കാൻജീവനുള്ളവക്കു ധൈര്യമുണ്ടാകയില്ല. ചില അളുകൾ യാതൊരുത്തരവാദിത്വവുമില്ലാതെയാണു ഡ്രൈവു ചെയ്യുന്നതു. ചിലയവസരങ്ങളിൽ നിറച്ചു കുടിച്ചു ഉന്മത്തന്മാരായി യാതൊരു ബോധവുമില്ലാതെയാണു സ്റ്റീയറിങ്ങ് കയ്യിൽ എടുക്കുന്നതു. ചിലയവസരങ്ങളിൽ മണിക്കുറിനു ൫൦–൦ ൫൪–൦ നാഴിക വേഗത്തിലും വിടാറുണ്ടു്. ഇതിനുള്ള കാരണം മോട്ടാറിന്റെ ഉടമസ്ഥാവകാശം അയാൾക്കല്ലാത്തതുകൊണ്ടാണു്. എവിടെയെങ്കിലും പോയി ആറോ എട്ടോ മാസം അല്ലെങ്കിൽ ഒരു വർഷം പഠിച്ചു കുറെ രൂപാ കൊടുത്തു ബാഡ്ജു് വാങ്ങിച്ചിട്ടുള്ള ഡ്രൈവർമാരാണു് അധികമുള്ളതു്. ബാഡ്ജു് കൊടുക്കുന്നകാലത്തു ഇവരുടെ നടത്ത മുതലായ പല സംഗതികളെയും പറ്റി കമ്മീഷണർ ശ്രദ്ധിക്കുന്നുണ്ടെങ്കിലും അതിൽ നിന്നെല്ലാം അവർ രക്ഷപ്പെട്ട പോലീസുകാരെ കളിപ്പിക്കയാണു് ചെയ്യുന്നതു്. അതുകൊണ്ടു് ഒരു ഡിപ്പാസിറ്റു ഡ്രൈവർമാരെക്കൊണ്ടു വയ്പിക്കേണ്ടതു അത്യാവശ്യമാണെന്നാണു് എന്റെയും അഭിപ്രായം. എന്നാൽ മിസ്റ്റർ എ. കെ. പിള്ള പറഞ്ഞതു പോലെ ൫൦൦ രൂപാ വയ്ക്കുകയാണെങ്കിൽ അതു വളരെക്കൂടിപ്പോയി എന്നുപറയാതിരിക്കാൻ നിവൃത്തിയില്ല. അതിലേക്കു കുറഞ്ഞതു നൂറിയമ്പതോ, ഇരുന്നൂറോ രൂപാ വീതം ആക്കണം.

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MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Does not the member think that that would increase unemployment?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): I am coming to that. ഇങ്ങനെ ഡിപ്പാസിറ്റുവയ്ക്കുന്നപക്ഷം സ്റ്റീയറിങ്ങ് കയ്യിൽ എടുക്കുമ്പോൾ അവർക്ക് ബോധമുണ്ടാകും.

പിന്നീടു മിസ്റ്റർ പിറിനു ഒരു സംശയം നേരിട്ടിരിക്കുന്നതായി പറഞ്ഞു. അതായതു ഇപ്പോൾ ഇവിടെ എണ്ണൂറോളം ഡ്രൈവറന്മാരുണ്ട്. അവരെല്ലാം ഡിപ്പാസിറ്റു വയ്ക്കണം എന്നു പറയുമ്പോൾ ഡ്രൈവറന്മാരെ കിട്ടാതെ വരും എന്നുള്ളതാണ്. ആ സംശയം അശേഷം വേണ്ട.

MR. N. KUMARAN (*Nominated*): Will they not demand more wages?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): Never mind, let them have.

MR. N. KUMARAN (*Nominated*) : Will not the public lose?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : There would be keen competition among the bus owners.

ഇപ്പോൾ ബസ്സുകാരും ക്ലീനിക്കാരും തമ്മിൽ മത്സരിച്ചതുകൊണ്ടു നാഗർകോവിൽ നിന്നും തിരുവനന്തപുരത്തേക്കു ഫ്രീപായായിരുന്ന മോട്ടാർ ക്ലീനർ ഫീ 0 ആണയായി കുറഞ്ഞിട്ടുണ്ട്. അതു കൊണ്ടു ഡിപ്പാസിറ്റ് വച്ചാൽ ഡ്രൈവറന്മാരെ കിട്ടാതെ വരുമെന്നുള്ള സംശയത്തിനവകാശമില്ല.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Is he aware that the price of petrol has come down very low?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : എനിക്കറിയില്ല നിശ്ചയമില്ല.

എന്റെ അടുക്കൽ തന്നെ അനേകം ആളുകൾ വന്നു അവരെ ഡ്രൈവിങ്ങിനു ഏർപ്പാടു ചെയ്യണമെന്നു ആവശ്യപ്പെടാറുണ്ട്. ഇവരുടെ പ്രവൃത്തി പലതരത്തിലും അപകടത്തിൽ കലാശിക്കുന്നതുകൊണ്ടു എനിക്കു ശുപാർശചെയ്യാൻ കഴിയുകയില്ലെന്നു മറുപടി പറയുകയാണ് ചെയ്യുന്നതു്

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): മിസ്റ്റർ. കുമാരപിള്ളയോടു ചില ചോദ്യങ്ങൾ ചോദിച്ചു കൊള്ളട്ടെ. ഈ തുക കെട്ടിവച്ചു കഴിഞ്ഞാൽ——If this money is to be deposited as security, who is the party to forfeit it and under what circumstances?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): ഡ്രൈവർമാർ ബാഡ്ജ് ആരുടെ പക്കൽനിന്നും ആവശ്യപ്പെടുന്നോ അവർ,

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MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : Why should the security be deposited at all? To secure what?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : ശരിയായിട്ട് സ്റ്റീയറിങ്ങ് പിടിച്ചു കൊണ്ടിരിക്കാൻ.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : Suppose, in spite of careful driving an accident takes place, then, who is to determine that the accident is due to the carelessness of the driver?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : Magistrate. അതിനുദ്യോഗസ്ഥരാളം പണം കൊടുത്തു നാം ആളുകളെ ആക്കീട്ടുണ്ടല്ലൊ.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : Suppose the case does not go before a Magistrate?

MR. T. KUMARA PILLAI (*Kulkulam* cum *Vilavankod*): അതു പോകണമല്ലോ. പോകാതെയെങ്ങിനെയാണ്?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : So, somebody will have to complain to the Magistrate?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): പിന്നെ വേറെ ഒരു സംഗതി മിസ്റ്റർ എ. കെ. പിള്ള പറഞ്ഞതു് പോലീസ് കാർ ബസ്സുകളിൽ പണം കൊടുക്കാതെ സഞ്ചാരം ചെയ്യുന്ന ഏർപ്പാടു നിത്തിവയ്ക്കണമെന്നാണു്. അതു കേൾക്കുമ്പോൾ ഒരുനേരംപോക്കായിട്ടു തോന്നിയേക്കാമെങ്കിലും പോലീസ് കമ്മീഷണർ നിർബന്ധമായിട്ടു ഇതിനെ തടയേണ്ടതാണു്. ഈയിടെ നടന്ന ഒരു സംഭവം ഞാൻ ഇവിടെ പറയാം. തക്കലനിന്നും തിരുവനന്തപുരത്തേയ്ക്കു വരുന്ന ഒരു ബസ്സിൽ പന്ത്രണ്ടു പേർ ഉണ്ടായിരുന്നു. അതിൽ പിന്നെയും ഒരാൾക്കൂടി കയറാം. അപ്പോൾ ഒരു പോലീസ്കാരനുംകൂടി അതിൽ വന്നു കയറി. ഒരു ആൾക്കേ അതിൽ സ്ഥലമുള്ളൂ. അതുകൊണ്ടു ആൾ വരുമ്പോൾ ഇറങ്ങണം എന്നു ഡ്രൈവർ അയാളോടു പറഞ്ഞതിനു ആൾ വരുമ്പോൾ ഇറങ്ങിക്കൊള്ളാമെന്നു സമ്മതിച്ചു. ഒരു ഫർലാങ്ങ്ടൂരെ ഓടിയപ്പോൾ ഒരു പാസഞ്ചർ വന്നുചേർന്നു. ഉടനെ ഈ പോലീസുകാരനോടു ഇറങ്ങാൻപറഞ്ഞപ്പോൾ ആരെങ്കിലും ചോദിക്കുമ്പോൾ ഉത്തരം പറഞ്ഞുകൊള്ളാമെന്നു പറഞ്ഞു നിർബന്ധമായിട്ടു അയാൾ അതിൽതന്നെ ഇരുന്നു. ഡ്രൈവർക്കു നിവൃത്തിയില്ലാതെ ബസ്സുവിട്ടു. അടുത്തസ്റ്റേഷനിൽ ചെന്നപ്പോൾ ഒരു ഇൻസ്പെക്ടർ പരിശോധിക്കാനായിട്ടു വന്നു. "ഓവർലോഡായതു ഞങ്ങളുടെ കുറ്റമില്ല. ഓവർലോഡിനു കാരണം ഒരു പോലീസുകാരൻ ഇതിലുണ്ടു് അതാണു്. അയാളെ ഞങ്ങൾ ഇറങ്ങാൻ പറഞ്ഞിട്ടു അയാൾ കേട്ടില്ല." എന്നു ഡ്രൈവർ സമാധാനം പറഞ്ഞു. അതിനെസംബന്ധിച്ചു വല്ല കേസ്സും ഉണ്ടായോ എന്നെനിക്കറിഞ്ഞുകൂടാ. ഞാൻ ഇതു കണ്ട സംഭവമാണു്.

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MR. K. I. JOSEPH (*Minachil* cum *Devicolam*) : Did not the constable jump down before the Police Inspector saw him? Is it not what is generally done by such constables?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : ഇതിൽ അയാൾ അങ്ങിനെ ചെയ്തില്ല. ഈ പോലീസുകാക്കു ടിക്കറുക്കൂടാതെ സ്വാഭന്തം സഞ്ചരിക്കാൻ ഏതുബസ്സ് അല്ലെങ്കിൽ ഏതു എയിറുസീറർ ഉപയോഗപ്പെട്ടന്നോ ആ ബസ്സിൽ അവക്കു ധാരാളം ആളുകളെ ഓവർലോടായിട്ട കയറിക്കൊണ്ടുപോകുന്നതിനു സാധിക്കുന്നതാണു്. ഞാൻ മിക്കവാറും ബസ്സിൽ സഞ്ചരിക്കുന്നതുകൊണ്ടു് അതിൽ നടക്കുന്ന പല അഴിമതികളും എനിക്കു കാണാനും അറിയാനും സംഗതിയായിട്ടുണ്ടു്

കുഴിത്തുറ, നെയ്യാറിൻകര തുടങ്ങിയുള്ള ഏതെങ്കിലും ഒരു സ്ഥലത്തു് ഫ 0 മിനിട്ടനേരം ബസ്സു നിത്തണമെന്നു ഏർപ്പാടുവച്ചിട്ടുണ്ടു്. എന്നാൽ പോലീസുകാരെ വെറുതെ കൊണ്ടുപോകുന്ന കാറാണെങ്കിൽ അരമണിക്കൂർ നിന്നാലും അവക്കാക്ഷേപമില്ല. എന്നാൽ അവക്കു വിരോധമുള്ള ബസ്സുകാരാണെങ്കിൽ അഞ്ചുമിന്നിട്ട നില്ക്കണമെങ്കിൽ ർ മിന്നിട്ട ആകുന്നതിനുമുമ്പേതന്നെ വിസിൽ ഊതിതുടങ്ങും. സപ്ലൈശമ്പളക്കാരാണു് ബസ്സു് പരിശോധിക്കാൻ നില്ക്കുന്നതു. ഇവരുടെ ശമ്പളം ചിലവിനുതന്നെ തികയുകയില്ലെന്നു കമ്മീഷണക്കും ഗവണ്മെൻറിനും നല്ലതുപോലെ അറിയാം. അതുകൊണ്ടു ബസ്സുകാർ കൊടുക്കുന്ന ഏതു സംഭാവനയും അവർ സ്വീകരിക്കാറുണ്ടു്. തന്നിമിത്തം ബസ്സുകാക്കു പല അഴിമതികളും കാണിക്കാൻ ധൈര്യമുണ്ടാകുന്നു. അതിനാൽ ട്രാഫിക് സെക്ഷൻ മാറുള്ള കാൻസ്റ്റബിൾമാരെകൊണ്ടു നടത്തിക്കാതെ അതിനെ വേർതിരിച്ചു നല്ല ശമ്പളം കൊടുത്തു ആളുകളെ നിയമിക്കണം. അതിൽ കൈക്കൂലിവാങ്ങിക്കുന്നവരുടെമേലുള്ള ഒന്നാമത്തെശിക്ഷ ഡിസ്മിസ്സായിരിക്കണം. എന്നാൽ മാത്രമേ മോട്ടാർ സെക്ഷനിലുള്ള അഴിമതികഥം കുറഞ്ഞുവരാൻ തരമുള്ളു.

MR. C. P. THOMAS (*Nominated*) : Sir, with regard to the Traffic Regulation, as I have once pointed out in this House, the police now concentrate their attention on preventing two evils. One is over-loading and the other over-speeding. Now, as far as motor accidents are concerned, I fear that these two evils contribute only to an inappreciable extent to the accidents that have occurred. And, as far as the general travelling public are concerned, I do not think that over crowding or overloading of the car has been a source of very serious complaint on the part of passengers. I think we are accustomed to suffer some inconvenience during one or two hours of our journey, provided

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[Mr. C. P. Thomas.]

we are able to reach our destination in time. If there is over-crowding in the seats and if there is over-loading, I think it is an evil only in so far as the machine would be out of order too soon. And the owner of the bus will have to bear the loss. With regard to the overspeeding, I think there also it is an evil that has not been prevented hitherto by the rules and the agencies that have been working. It is a matter so well-known that the speed-limit allowed is only about 10 miles. It i reported that some buses cannot be driven at the low rate of 10 miles and therefore they actually drive at about 20 miles an hour and the devices they employ in evading detection are so many or so well-known. It is a pity that so many constables are employed in order to check overloading and overspeeding and their work seems to be very little and slight. These are not very serious evils and in so far as they are evils, they are evils that have not been checked as has been time and again pointed out in this House. So, I would draw the attention of the House to see to the need for concentrating attention more upon seeing that the drivers are well-qualified, that they are sober, that they are not over-worked, which I know has been the more prolific cause of the accidents that have occurred during the last few years, and I would suggest to the Government the need for revising the rules in such a way as to bring about reforms on the lines suggested.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Sir, I do not want to go over the whole ground. With respect to the question of deposit of security, the matter is not quite clear to me; and unless I understand the way in which it is to work, I cannot agree to the motion asking motor drivers to deposit security. First of all, what is the sort of business that the driver is expected to secure by making this deposit? With whom is the deposit to be made? Is it with the Government or with the Commissioner of Police or any other departmental officer or with the owner or with himself? Is it for the purpose of securing any possible damage to the car that the security is to be deposited or is it for the purpose of securing any damage to any persons who are likely to use the car? Is it a civil liability or criminal liability that is to be created? All these questions have not been considered. My friend Mr. Kumara Pillai who also supported the idea of security said that any Magistrate is at liberty to forfeit the security deposited by any particular driver? Is it the idea of Mr. Kumara Pillai and Mr. A. K. Pillai that in addition to the punishments now provided for rash driving and negligent driving, the security is also to be added as likely to be forfeited as a punishment? All this has left me in considerable doubt and difficulty.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): സ്പീഡ് ഗവർണ്ണർ റഗുലേഷനിൽ ഫ്രീഫിറ്റ് ചെയ്യാൻ ഒരു വകുപ്പുണ്ടെല്ലോ അതുപോലെയാണിതു.

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MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): That is exactly the question. Under the Newspapers Regulation the security of any particular proprietor may be forfeited by Government who have absolute discretion in the matter. It is therefore I ask whether it is the sort of security contemplated by the Newspapers Regulation that he has in mind. If that is his idea.—

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): അതു പോലെ ചെയ്യണമെന്നു ഞങ്ങൾക്കഭിപ്രായമുണ്ട്. ഒരു കോടതിയിൽവിധിക്കുന്നതു പോലെ ചെയ്യണം.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): It is therefore I say—

MR. M. SUBRAHMANYA PILLAI (*Agastisvaram*): Has not the Commissioner of Police authority to cancel the license?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): That may be. But nobody suffers to the extent of Rs. 500 there.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The deposit may be as a mark of solvency to be proceeded against by the person concerned.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Suppose it is deposited, the man has to recover it in case he has to sever his connection with any particular car. Suppose he undertakes two cars, he has to furnish security for two cars. And considering the status and ability of these motor drivers, I fear the chances are that they may be unnecessarily exposed to trouble and probably go to swell the rank and file of the unemployed.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): ഉത്തരവാദിത്വബോധമില്ലാതെ ചെയ്യുന്ന പ്രവൃത്തിയെക്കാൾ കുറേക്കൂടി ഭേദം അതാണ്.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): We have got punishment provided for under the law.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): അതു കൊണ്ടു ഇപ്പോഴാ പ്രയോജനമില്ലാതെയാണെല്ലോ ഇരിക്കുന്നതു.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): He need only undergo the punishment now provided under the law. If there are cases in which it is rather difficult to recover the fine, then, I can understand the question of security. But I do not think there are many cases in which the Magistrates have imposed fines and it was found difficult to realise the fines.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether he is against a security being imposed upon motor drivers?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): It is after all a question of withdrawing license. That may be employed first as a tentative measure. The Commissioner of Police may try that step first by exercising proper check over careless driving.

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MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): ഇതു പോലീസുകമ്മീഷണർ വളരെനാളായി ശ്രമിച്ചുകൊണ്ടിരിക്കുന്ന ഒരു സംഗതിയാണ്.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : No doubt, I am quite aware. I am prepared to endorse the view, that, left to Mr. Pitt himself, the matter will be carried out all right. But the necessary lieutenants for Mr. Pitt will have to be provided for. He himself will have to make a selection in order that the inspection of licenses, inspection of driving and all these things are done properly. It is on that particular point that the shoe pinches. The same sort of enthusiasm exhibited by Mr. Pitt will have to be infused into the lower ranks also. Before that is done, I fear we are not justified in calling for security from the poor drivers. I sympathise with them though some of them are misbehaving fellows. Before Mr. Pitt is allowed a reasonable time to experiment that, all on a sudden to say that because there is something going on somewhere, there should be security and then forfeiture of that and then litigation over that security is, I think, not fair.

MR. A. K. PILLAI (*Karunagapalli*) : May I inform my friend that this suggestion would only apply to the drivers of buses and not to private cars?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : For the reminding I am thankful, for I am myself the owner of a car. My driver would tomorrow ask me to find security for him. Anyhow, I may agree that more stringent provision is necessary, but whether this is the right action to be taken up remainsto be seen. It is only to that extent that I disagree.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*) : ഡ്രൈവർമാരെല്ലാം ഒരു ക്രിമ്മിനൽ സെക്യൂരിട്ടിവയ്ക്കണമെന്നുള്ള വ്യവസ്ഥയ്ക്കധീനന്മാരായിരിക്കണമെന്നുള്ളതു ഒരു വിധത്തിൽ കഷ്ടമാണെന്നാണ് എന്റെ അഭിപ്രായം. തീരെ ഉത്തരവാദബോധമില്ലാത്തവരും മദ്യപാനംചെയ്യുന്നവരും ഡ്രൈവർമാരുടെയിടയിലുണ്ട്. എന്നാൽ വളരെ നല്ലയാളുകളും ഇവരുടെ ഇടയിലുണ്ട്. എല്ലാ ഡ്രൈവർമാരും സെക്യൂരിട്ടിവയ്ക്കണമെന്നു വരുന്നപക്ഷം ദരിദ്രരും സാധുക്കളുമായ അനേകം ആളുകൾക്കു തൊഴിൽചെയ്തു കാലക്ഷേപം കഴിക്കാൻ നിവൃത്തിയില്ലാതെവരും. ഈ സെക്യൂരിട്ടിവയ്ക്കണമെന്നുവച്ചാൽ തന്നെ എന്തു പ്രയോജനമാണുള്ളതു? ഡ്രൈവർമാർ തങ്ങളുടെ ജീവനെത്തന്നെ സെക്യൂരിട്ടിയായിട്ടു വച്ചിരിക്കയാണ്. ഈ വിചാരം അശേഷമില്ലാതെ ബസ്സു ഓടിക്കുന്നവർ ൨൦൦ രൂപ കെട്ടിവച്ചാൽ നേരെയാകും എന്നു വിചാരിക്കാൻ ഒരു ന്യായവുമില്ല. ഇതുകൊണ്ടു മദ്യാദക്കാരും ദരിദ്രന്മാരുമായ ഡ്രൈവർമാർക്കു തൊഴിൽചെയ്യാൻ നിവൃത്തിയില്ലാതെ അവർ തൊഴിൽ ഉപേക്ഷിക്കുമെന്നല്ലാതെ ഒരു പ്രയോജനവുമില്ല. മദ്യ

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പാനികളും മുമ്പേല ബോധമില്ലാത്തവരുമായ ഡ്രൈവറന്മാരുടെ ലൈസൻസു എടുത്തുകളയുകയും അവക്കു തിരിയെ ലൈസൻസു കൊടുക്കാതിരിക്കയും ചെയ്യണം. ൨൦൦ രൂപയെക്കാളും, യാത്രക്കാരുടെ ജീവനെക്കാളും, കാറിന്റെ വിലയെക്കാളും എത്രയോ വലുതാണു തങ്ങളുടെ ജീവൻ. അതുതന്നെ ഗണ്യമാക്കാതെ ബസ്സോടിക്കുന്നവരെക്കൊണ്ടു സെക്യൂരിട്ടി കെട്ടിവയ്പിച്ചാൽ എന്താണു പ്രയോജനം? അതുകൊണ്ടു ആ സമ്പ്രദായം സാധുക്കൾക്കു വളരെ ദോഷമാണെന്നാണു് എന്റെ അഭിപ്രായം.

ഡ്രൈവറന്മാരെ നിയന്ത്രിക്കുന്നതിനു കൂടുതൽ ശ്രദ്ധ പോലീസ് ഡിപ്പാർട്ട്മെൻറിൽനിന്നുംപതിപ്പിക്കണം. ഈ ഡ്രൈവറന്മാരിൽ ചിലർ യാത്രക്കാരോടുതീരെമര്യാദയില്ലാതെപെരുമാറുന്നുണ്ടു്. അങ്ങനെപെരുമാറുന്നവരുടെ ലൈസൻസ് എടുത്തുകളയുകയും മേലാൽ അവക്കു ലൈസൻസു കൊടുക്കാതിരിക്കയും ചെയ്യുന്നപക്ഷം മറ്റുള്ള ഡ്രൈവർമാരും നല്ല മാർഗ്ഗത്തിലാകാൻ എളുപ്പമുണ്ടു്. സൂക്ഷ്മമില്ലാതേയും ഹെഡ് കൊടുക്കാതേയും ഓടിക്കുന്നവരെ പറ്റിയും പ്രത്യേകം ശ്രദ്ധിക്കണം. അതാണു് വേണ്ടതു്.

MR. KALLUR NARAYANA PILLAI (*Pattanamtitta*): ഈ ഉപക്ഷേപത്തെപ്പറ്റി സംസാരിക്കുമ്പോൾ ഒരു പ്രത്യേകസംഗതി മിസ്റ്റർ പിറ്റിന്റെ ശ്രദ്ധയിൽ കൊണ്ടുവരേണ്ടതായിട്ടുണ്ടു്. ബസ്സുകളിലും കാറുകളിലും ആളുകളെ കയറ്റിക്കൊണ്ടു പോകുമ്പോൾ പന്ത്രണ്ടു വയസ്സിനു താഴെയുള്ള ഒരു കുട്ടിഉണ്ടായിരുന്നാൽ അവരിൽ നിന്നും ചാർജ്ജ് വാങ്ങിച്ചാൽ അരയാളായും രണ്ടു കുട്ടികളിൽ നിന്നും ചാർജ്ജ് വാങ്ങിച്ചാൽ ഒരാളായും ചാർജ്ജ് വാങ്ങിച്ചില്ലെങ്കിൽ എണ്ണത്തിൽ കൂട്ടാതേയും ഇരിക്കത്തക്കവണ്ണം ഒരു സർക്കുലർ മിസ്റ്റർ പിറ്റു് പുറപ്പെടുവിച്ചിട്ടുണ്ടു്. അതു ഇക്കഴിഞ്ഞ ജൂൺമാസത്തിലാണെന്നു തോന്നുന്നു. ആ സർക്കുലറിന്റെ ശക്തികൊണ്ടു പലപ്രകാരത്തിലുമുള്ള ബുദ്ധിമുട്ടുകൾക്കും ഇടയാകുന്നു. ഒരുഎയിറ്റുസീറ്റിൽ പത്തോ പതിനഞ്ചോ കുട്ടികളെമാത്രം കയറ്റിക്കൊണ്ടുപോകുമ്പോൾ വാസ്തവത്തിൽ ക്ലീനർ വാങ്ങിച്ചാലും ഡ്രൈവർ വാങ്ങിച്ചില്ലാ എന്നു പറയുന്നപക്ഷം അതു ഓവർലോഡായിട്ടു വരികയില്ലാ. ക്ലീനർ വാങ്ങിച്ചിട്ടുണ്ടോ ഇല്ലയോ എന്നു പരിശോധിക്കുന്നതിനു അവക്കു ടിക്കറ്റു ഇല്ലാത്തതുകൊണ്ടു കാൺസ്റ്റബിൾമാർക്കു നിവർത്തിയില്ല. അതുകൊണ്ടു ആറു ആളുകളേയും പത്തു കുട്ടികളേയും കയറ്റിക്കൊണ്ടുപോകുന്ന ഒരു എയിറ്റുസീറ്ററിനെ ഒരു കാൺസ്റ്റബിൾ പരിശോധിക്കുമ്പോൾ

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[Mr. Kallur Narayana Pillai.]

കുട്ടികൾക്കു ചാർജ്ജ് വാങ്ങിച്ചിട്ടില്ലാ എന്നു ഡ്രൈവർ പറഞ്ഞാൽ ഓവർലോഡ് ചെയ്യുന്നതിനു ആ ഡ്രൈവറെ ചാർജ്ജ് ചെയ്യാൻ ആ കാൺസ്റ്റബിളിനു നിവൃത്തിഇല്ലാതെവരുന്നു. അതിനാൽ ഈ യുക്തിഹീനമായ സെക്യൂരിറ്റിനെ മാറണമെന്നാണ് എന്റെ അഭിപ്രായം.

MR. A. K. PILLAI (*Karunagapalli*): The Police Commissioner admitted that, by imposing this security on the drivers, it would make them more careful and cautious; only he was afraid whether it would not work hard against the drivers who are invariably poor people. But I think his apprehensions are rather misplaced. From my point of view, the imposition of this security would only enhance their solvency and reputation and also their position as drivers. Now, any man just after training, after a month or two or after six months, I do not know the period that is now required, might apply for a badge. Since the drivers are innumerable, the owners could command them for a pittance. But when they are solvent people, their position will be bettered and they can demand better wages from their owners. So, instead of leaving them as rowdies or bad sort of people, this security will be able to improve their position and they would be able to command a better position in society and higher wages also. So on account of the very same arguments urged by Mr. Pitt and others against this security, I think the security is useful to the drivers. We should compare the drivers who would be compelled to pay Rs. 500 or 300 against the life of the people who travel in motor buses. So I think I must press this motion and I must consider the reduction of the deposit sum to Rs. 200.

MR. W. H. PITT (*Commissioner of Police*): I think the time is up and it is too late for me to speak.

PRESIDENT: It is too late.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): Sir, I beg to rise to a point of order. Rule 49 sub-rule (3) of the Legislative Council Rules provides as follows:

"On the last day of the allotted days at 5 o' clock in the evening the President shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants."

In accordance with that, I request that the President may be pleased to put to vote especially Demands Nos. XXIII and XXIV against which some of us wish to record our protest.

PRESIDENT: But what is the point that you wish to raise for a ruling? You only make a request.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): What I want is that all these motions should not be taken as put. The point of order is that every outstanding demand should be put to the vote.

PRESIDENT: That is exactly what the rule lays down.

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MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Under the rules, is it only the Demands that should be put to the vote or should all outstanding matters be put to the vote? Whether "matters" means only demands or whether it means motions also has to be decided.

PRESIDENT: All motions lapse with the expiry of time.

Motions 327 to 337.

The following motions lapsed on account of the time-limit:

18 B—DISTRICT POLICE—*Salaries.*

MR. A. K. PILLAI:

327. To reduce the allotment of Rs 1,800 for duty allowance to Traffic Inspectors by Rs. 10.

MR. T. KUMARA PILLAI:

328. To reduce the allotment of Rs. 80,994 for, Inspectors' salaries by Rs. 100.

DISTRICT POLICE—*Establishment.*

MR. T. KUMARA PILLAI:

329. To reduce the allotment of Rs. 3,23,567 for establishment by Rs. 100.

Motions for reduction of total grant.

MR. C. KERALAVARMA KOIL TAMPURAN:

330. To reduce the allotment of Rs. 5,11,900 for District Police by Rs 10.

MR. G. NARAYANA PILLAI:

331. To reduce the allotment of Rs. 5,11,900 for District Police by Rs. 10.

MR. T. KUMARA PILLAI:

332. To reduce the allotment of Rs. 5,11,900 for District Police by Rs. 100.

MR. K. P. NILAKANTA PILLAI:

333. To reduce the allotment of Rs. 5,11,900 for District Police by Rs. 100.

Motions for reduction of total grant under Demand XIII.

MR. C. P. TARAKAN:

334. To reduce the total allotment of Rs. 5·72 lakhs under Demand XIII by Re. 1.

MR. A. K. PILLAI:

335. To reduce the total allotment of Rs. 5·72 lakhs under Demand XIII by Rs. 10.

MR. KALLUR NARAYANA PILLAI:

336. To reduce the total allotment of Rs. 5·72 lakhs under Demand XIII by Rs. 100.

MR. T. KUMARA PILLAI:

337. To reduce the total allotment of Rs. 5 72 lakhs under Demand XIII by Rs. 100.

PRESIDENT: I put to the vote of the House Demand XIII—Police—for Rs. 5·72 lakhs.

The motion was carried and the grant was made.

DEMAND XIV—AGRICULTURE AND FISHERIES.

Motions 338 to 348.

The following motions lapsed on account of the time-limit:—

21 A—AGRICULTURE AND FISHERIES—*Direction.*

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Motions for reduction of total grant.

MR. G. RAMAN MENON:

338. To reduce the allotment of Rs. 24,477 for Direction by Re. 1.

MR. K P. NILAKANTA PILLAI:

339. To reduce the allotment of Rs. 24,477 for Direction by Rs. 100.

MR. K. MADHAVAN PILLAI:

340. To reduce the allotment of Rs. 24,477 for Direction by Rs. 100.

21 B—AGRICULTURE AND FISHERIES—EXPERIMENTAL FARMS AND MANURE DEPOTS *Establishment.*

MR. P. K. NARAYANA PILLAI:

341. To reduce the allotment of Rs. 15,602 under establishment by Rs. 2,481.

Motions for reduction of total grant.

MR. K. P. NILAKANTA PILLAI:

342. To reduce the allotment of Rs. 80,991 for Experimental Farms and Manure Depots by Rs 100.

MR. L. A. LAMPARD:

343. To reduce the allotment of Rs. 80,991 for Experimental Farms and Manure Depots by Rs. 100.

21 E—AGRICULTURE AND FISHERIES—VETERINARY CHARGES.

Motion for reduction of total grant.

MR. K. P. NILAKANTA PILLAI:

344. To reduce the allotment of Rs. 25,889 for Veterinary charges by Rs. 100.

Motions for reduction of total grant under Demand XIV.

MR. G. NARAYANA PILLAI:

345. To reduce the total allotment of Rs. 1·76 lakhs under Demand XIV by Rs. 10.

MR. N. KUMARAN:

346. To reduce the total allotment of Rs. 1·76 lakhs under Demand XIV by Rs. 10.

MR. K. P. NILAKANTA PILLAI:

347. To reduce the total allotment of Rs. 1·76 lakhs under Demand XIV by Rs. 100.

MR. KALLUR NARAYANA PILLAI:

348. To reduce the total allotment of Rs 1·76 lakhs under Demand XIV by Rs. 100.

PRESIDENT: I put to the vote of the House Demand XIV—Agriculture and Fisheries—for Rs. 1·76 lakhs.

The motion was carried and the grant was made.

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DEMAND XV—INDUSTRIES.

Motions 349 to 357.

The following motions lapsed on account of the time-limit :

22 A—INDUSTRIES—*Director.*

MR. A. K. PILLAI :

349 To reduce the allotment of Rs. 1,796 for establishment by Rs. 10.

Motions for reduction of total grant.

MR. G. RAMAN MENON:

350. To reduce the allotment of Rs. 19,806 for Direction by Re. 1.

MR. A. K. PILLAI :

351. To reduce the allotment of Rs. 19,806 for Direction by Rs. 10.

22 B—INDUSTRIES—*Industrial Education.*

MR. A. K. PILLAI :

352. To reduce the allotment of Rs. 6,446 for the Carpentry Institute—Workshop contingencies by Rs. 5.

22 B—INDUSTRIES—*Industrial Development*

MR. A. K. PILLAI :

353. To reduce the allotment of Rs. 1,950 for spinning by Rs. 5

Motions for reduction of total grant under Demand XV.

MR. C. P. KOCHUKUNJU PILLAI :

354. To reduce the total allotment of Rs. 1·19 lakhs under Demand XV by Rs 5

MR. K. SIVARAMA PANIKKAR :

355. To reduce the total allotment of Rs. 1·19 lakhs under demand XV by Rs. 10.

MR. K. P. NILARANTA PILLAI :

356. To reduce the total allotment of Rs. 1·19 lakhs under Demand XV by Rs. 100

MR. KALLUR NARAYANA PILLAI :

357. To reduce the total allotment of Rs 1·19 lakhs under Demand XV by Rs. 100.

PRESIDENT : I put to the vote of the House Demand XV—Industries—for Rs. 1·19 lakhs.

The motion was carried and the grant was made.

DEMAND XVI—MEDICAL DEPARTMENT.

Motions 358 to 370.

The following motions lapsed on account of the time-limit :

28 A. MEDICAL AND SANITARY—*Superintendence.*

Motion for reduction of total grant.

MR. G. RAMAN MENON :

358. To reduce the allotment of Rs. 10,886 for Superintendence by Rs. 10.

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MR. T. KUMARA PILLAI:

359. To reduce the allotment of Rs. 10,886 for Superintendence by Rs. 100.

MR. K. MADHAVAN PILLAI:

360. To reduce the allotment of Rs 10,883 for Superintendence by Rs. 100.

23 B. MEDICAL AND SANITARY - HOSPITALS AND DISPENSARIES.

Motions for reduction of total grant.

MR. KURANDIPALLIL R. RAMAN PILLAI:

361. To reduce the allotment of Rs. 5,74,296 for Hospitals and Dispensaries by Rs. 10.

MR. K. MADHAVAN PILLAI:

362. To reduce the allotment of Rs. 5,74,296 for Hospitals and Dispensaries by Rs. 100.

MR. T. KUMARA PILLAI:

363. To reduce the allotment of Rs. 5,74,296 for Hospitals and Dispensaries by Rs 100.

23 C. MEDICAL AND SANITARY—MIDWIFERY AND NURSING CLASSES—*Contingencies.*

MR. K. MADHAVAN PILLAI:

364. To omit the allotment of Rs. 1,824 for scholarship and stipends

23 J. MEDICAL AND SANITRY—GRANTS FOR MEDICAL PURPOSES.

MR. T. KUMARA PILLAI:

365. To reduce the allotment of Rs. 19,591 for Grants to European Medical Institutions by Rs. 100.

MR. K. MADHAVAN PILLAI:

366. To reduce the allotment of Rs. 672 for scholarships for the study of European medicines by Rs. 10.

Motions for reduction of total grant under Demand XVI.

MR. C. P. TARAKAN:

367. To reduce the total allotment of Rs. 6·31 lakhs under Demand XVI by Re. 1

MR. K. SIVARAMA PANIKKAR:

368. To reduce the total allotment of Rs. 6·31 lakhs under Demand XVI by Rs. 10.

MR. K. P. NILAKANTA PILLAI:

369. To reduce the total allotment of Rs. 6·31 lakhs under Demand XVI by Rs. 100.

MR. TARIATU KUNJITOMMAN:

370. To reduce the total allotment of Rs. 6·31 lakhs under Demand XVI by Rs. 100.

PRESIDENT: I put to the vote of the House Demand XVI—Medical Department—for Rs. 6·31 lakhs.

The motion was carried and the grant was made.

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DEMAND XVII—CHEMICAL EXAMINER, AYURVEDA AND SANITATION.

Motions 371 to 382.

The following motions lapsed on account of the time-limit:

23 H. MEDICAL AND SANITARY—AYURVEDA DEPARTMENT —*Direction.*

MR. A. J. JOHN:

371. To reduce the allotment of Rs. 5,927 for Direction by Rs. 5.

MR. C. N. TUPPAN NAMPUTIRI:

372. To reduce the allotment of Rs. 5,927 for Direction by Rs. 10.

MR. KURANDIPALLIL R. RAMAN PILLAI:

373. To reduce the allotment of Rs. 5,927 for Direction by Rs. 10.

AYURVEDA DEPARTMENT—*Ayurveda College.*

MR. K. MADHAVAN PILLAI:

374. To omit the allotment of Rs. 1,500 for the stipends.

MR. C. P. KOCHUKUNJU PILLAI:

375. To reduce the allotment of Rs. 6,478 for Ayurveda College by Rs. 5.

AYURVEDA DEPARTMENT—*Motions for reduction of total grant.*

MR. N. KUMARAN:

376. To reduce the allotment of Rs. 31,135 for the Department of Ayurveda by Rs. 10.

MR. KALLUR NARAYANA PILLAI:

377. To reduce the allotment of Rs. 31,135 for the Department of Ayurveda by Rs. 100.

23 J. MEDICAL AND SANITARY—*Grants for Medical purposes.*

MR. K. P. NILAKANTA PILLAI:

378. To reduce the allotment of Rs. 26,030 for grants to Ayurvedic Medical Institutions by Rs. 100.

Motions for reductin of total grant.

MR. G. NARAYANA PILLAI:

379. To reduce the allotment of Rs. 58,353 for Department of Ayurveda including grants to Ayurvedic Medical Institutions and Honoraria to Vaidyans by Rs. 10

23 I—MEDICAL AND SANITARY—SANITATION AND VACCINATION—*Commissioner.*

MR. K. MADHAVAN PILLAI:

380. To reduce the allotment of Rs. 9,478 for Commissioner by Rs. 100.

SANITATION AND VACCINATION—*Vaccine Depot.*

MR. K. MADHAVAN PILLAI:

381. To omit the allotment of Rs 600 for Sanitary Circle Officer.

Motions for reduction of total grant.

MR. T. KUMARA PILLAI:

382. To reduce the allotment of Rs. 96,860 for Sanitation and Vaccination by Rs. 100.

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PRESIDENT : I put to the vote of House Demand XVII—Chemical Examiner, Ayurveda and Sanitation—for Rs. 1·58 lakhs.

The motion was carried and the grant was made.

DEMAND XVIII—STATIONERY AND PRINTING.

Motion 383.

MR. K. P. NILAKANTA PILLAI.

383. To reduce the allotment of Rs. 98,380 for printing by Rs. 100.

DEMAND XIX.—SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.

Motions 384 to 401.

The following motions lapsed on account of the time-limit :

28 A—SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS—*Museum and Public Gardens.*

Motions for reduction of total grant.

MR. K. MADHAVAN PILLAI :

384. To reduce the allotment of Rs. 47,479 for Museum and Public Gardens by Rs. 100.

28 B—SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS—*Observatory.*

Motion for reduction of total grant.

MR. K. P. NILAKANTA PILLAI :

385. To reduce the allotment of Rs. 8,600 for Observatory by Rs. 500.

MR. KALLUR NARAYANA PILLAI :

386. To reduce the allotment of Rs. 8,600 for Observatory by Rs. 500.

28 C—SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS—*Photograph Department.*

Motions for reduction of total grant.

MR. K. MADHAVAN PILLAI :

387. To reduce the allotment of Rs. 3,479 for Photograph Department by Rs. 100.

28 G—SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS—REGISTRAR OF CO-OPERATIVE SOCIETIES—*Establishment.*

MR. A. K. PILLAI :

388. To reduce the allotment of Rs. 9,985 for Inspectors by Rs. 5

REGISTRAR OF CO-OPERATIVE SOCIETIES—*Allowances.*

MR. TARIATU KUNJITOMMAN :

389. To reduce the allotment of Rs. 11,670 for Travelling Allowance by Rs. 5.

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Motions for reduction of total grant.

MR. T. J. MATTHEW :

390. To reduce the allotment of Rs. 47,400 for Registrar of Co-operative Societies by Re. 1.

MR. A. J. JOHN :

391. To reduce the allotment of Rs. 47,400 for Registrar of Co-operative Societies by Rs. 5.

MR. G. NARAYANA PILLAI :

392. To reduce the allotment of Rs. 47,400 for Registrar of Co-operative Societies by Rs. 10.

MR. K. SIVARAMA PANIKKAR:

393. To reduce the allotment of Rs. 47,400 for Registrar of Co-operative Societies by Rs. 10.

MR. N. KUMARAN :

394. To reduce the allotment of Rs. 47,400 for Registrar of Co-operative Societies by Rs. 10.

MR. K. P. NILAKANTA PILLAI :

395. To reduce the allotment of Rs. 47,400 for Registrar of Co-operative Societies by Rs. 100.

MR. TARIATU KUNJITOMMAN:

396. To reduce the allotment of Rs. 47,400 for Registrar of Co-operative Societies by Rs 100.

MR. K. MADHAVAN PILLAI:

397. To reduce the allotment of Rs. 47,400 for Registrar of Co-operative Societies by Rs. 100.

28 I. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS—*Economic Development Board.*

Motions for reduction of total grant.

MR. A. K. PILLAI:

398. To reduce the allotment of Rs. 4,100 for Economic Development Board by Rs. 4,000.

MR. KURANDIPALLIL R. RAMAN PILLAI:

399. To omit the allotment of Rs. 4,100 for the Economic Development Board.

MR. N. KUMARAN :

400. To reduce the allotment of Rs. 4,100 for Economic Development Board by Rs. 10.

MR. M. SIVATANU PILLAI:

401. To reduce the allotment of Rs. 4,100 for Economic Development Board by Rs. 100.

PRESIDENT : I put to the vote of the House Demand XIX—Scientific and Miscellaneous Departments—for Rs. 1·11 lakhs.

The motion was carried and the grant was made.

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DEMAND XX—SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.

Motions 402 to 404.

The following motions lapsed on account of the time-limit :

28 F—SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS—PRESERVATION OF ORIENTAL LITERATURE—*Publication of Sanskrit Manuscripts.*

MR. K. K. THOMAS :

402. To reduce the allotment of Rs. 12,266 for Publication of Sanskrit Manuscripts by Rs. 5.

28 K—SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS—PROTECTOR OF DEPRESSED CLASSES—*Contingencies.*

MR. A. K. PILLAI :

403. To reduce the allotment of Rs. 100 for contingencies by Rs. 5.

Motion for reduction of total grant under Demand XX.

MR. K. P. NILAKANTA PILLAI :

404. To reduce the total allotment of Rs. ·34 lakh under Demand XX by Re. 1.

PRESIDENT: I put to the vote of the House Demand XX—Scientific and Miscellaneous Departments for Rs. ·34 lakh.

The motion was carried and the grant was made.

DEMAND XXI—ANCHAL DEPARTMENT.

Motions 405 to 409.

The following motions lapsed on account of the time-limit :

MR. G. RAMAN MENON:

405. To reduce the allotment of Rs. 20,600 for Superintendence by Re. 1.

MR. K. P. NILAKANTA PILLAI :

406. To reduce the allotment of Rs. 3,18,400 for Working Expenses by Rs. 100.

MR. KALLUR NARAYANA PILLAI :

407. To reduce the allotment of Rs. 3,18,400 for Working Expenses by Rs. 100.

Motions for reduction of total grant under Demand XXI.

MR. G. NARAYANA PILLAI :

408. To reduce the total allotment of Rs. 3·28 lakhs under Demand XXI by Rs. 10.

MR. C. P. KOCHUKUNJU PILLAI :

409. To reduce the total allotment of Rs. 3·28 lakhs under Demand XXI by Rs. 10.

PRESIDENT : I put to the vote of the House Demand XXI—Anchal Department for Rs. 3·28 lakhs.

The motion was carried and the grant was made.

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DEMAND XXII—MISCELLANEOUS ITEMS.

Motions 410 to 412

The following motions lapsed on account of the time-limit.

38 B.—MISCELLANEOUS—*Grants to Municipalities.*

MR. K. P. NILAKANTA PILLAI :

410. To reduce the allotment of Rs. 23,700 for grants to Municipalities by Rs. 100.

MR. K. MADHAVAN PILLAI :

411. To reduce the allotment of Rs. 23,700 for grants to Municipalities by Rs. 100.

MISCELLANEOUS—*Land Colonisation Committees.*

MR. TARIATU KUNJITOMMAN :

412. To omit the allotment of Rs. 1,000 for Land Colonisation Committee.

PRESIDENT: I put to the vote of the House Demand XXII Miscellaneous Items for Rs. ·47 lakh.

The motion was carried and the grant was made.

DEMAND XXIII—TRIVANDRUM WATER WORKS.

PRESIDENT: I put Demand XXIII Trivandrum Water Works—for a grant of Rs. 6·50 lakhs.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): I oppose the motion.

PRESIDENT: I do not think any question of opposing or supporting the motion arises. There was a previous ruling which says that when the demand is put to the vote, no question of cut or motion arises.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): The entire demand has to be voted upon because it is put to the vote of the House.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): I think the expression 'motion put' means that it has to be put to the vote of the House.

PRESIDENT: I find that the same question arose on a previous occasion and the ruling then given was :

"PRESIDENT : I now place Demand IX—Administration of Justice—for Rs. 7·24 lakhs for the vote of the House. I hope the House sanctions it.

"MR. K. P. RAMAN PILLAI (*Quilon*): No, Sir, I am against it. I press for a division.

"PRESIDENT : There has been no cut and it is not a matter for vote. I take it that the House sanctions the Demand entirely.

"The grant was made."

This ruling was given during the Budget Debate in August 1923.

MR. M. SIVATANU PILLAI (*Tovala*): May I know then why the words "every question shall be put" are mentioned?

PRESIDENT: It is a mere form borrowed from other legislatures where the conditions are different.

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MR. A. K. PILLAI (*Karunagapalli*): Is it the ruling of the President that we need not vote at all?

PRESIDENT: Yes. I am putting this to the vote so that the empty form may be preserved.

The question that a sum of Rs. 6·50 lakhs be granted under Demand XXIII—Trivandrum Water Works—was put and the grant was made.

DEMAND XXIV—TRIVANDRUM ELECTRIC SUPPLY.

PRESIDENT: I put to the vote of the House Demand XXIV—Trivandrum Electric Supply for Rs. 1·50 lakhs.

The motion was carried and the grant was made.

DEMAND XXV—LOANS.

PRESIDENT: I put to the vote of the House Demand XXV—Loans—for Rs. 1·50 Lakhs

The motion was carried and the grant was made.

DEMAND XXVI LOANS.

PRESIDENT: I put to the vote of the House Demand XXVI—Loans—for Rs. ·20 lakh.

The motion was carried and the grant was made.

The Council adjourned at 5-10 P. M.

N. NILAKANTA PILLAI,
Secretary to the Legislative Council.

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